

REGULAR MEETING AGENDA

1. **Call to Order**
2. **Approval of Agenda**
3. **Public Comment**
The public may speak to the Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
4. **Reconsideration**
5. **Adoption of Consent Agenda**
All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.
 - A. Approval of Minutes of Aug. 5, 2015 meeting Page 1
6. **Presentations:**
7. **Reports:** Staff Report PL 15-61 City Planner's Report Page 7
8. **Public Hearings**
Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.
9. **Plat Consideration**
 - A. Staff Report PL 15-62 Webber Subdivision No. 9 Page 9
10. **Pending Business**
 - A. Staff Report PL 15-64 Bridge Creek Watershed Protection District impervious runoff calculations. Page 45
11. **New Business**
12. **Informational Materials**
 - A. City Manager's Report Aug. 10, 2015 Page 71
13. **Comments of the Audience:** Members of the audience may address the Commission on any subject. (3 minute limit)
14. **Comments of Staff**
15. **Comments of the Commission**
16. **Adjournment:** Next regular meeting is scheduled for August 19, 2015. A work session will be held at 5:30 pm. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Session 15-12, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on August 5, 2015 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, BRADLEY, STEAD, STROOZAS, VENUTI

ABSENT: ERICKSON, HIGHLAND

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead called for approval of the agenda.

STROOZAS/BOS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Public Comment

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

Reconsideration

Adoption of Consent Agenda

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- A. Approval of Minutes of July 15, 2015
- B. KPB Time Extension Request for James Waddell Homestead Petska 2014 Addn
- C. Decisions & Findings CUP 15-02 for an equipment storage building at 3575 Heath St.
- D. Decisions & Findings CUP 15-03 for a public restroom at 4166 Homer Spit Rd.

Chair Stead called for approval of the consent agenda.

VENUTI/STROOZAS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried

Presentations

- A. Becky Windt Pearson, GCI Attorney to discuss cell towers

Becky Windt Pearson, in house land used counsel for GCI, reviewed information that has been provided to the Commission regarding areas of the ordinance that could be problematic for the City and also for proponents of tower projects. Ms. Windt Pearson also used a power point to give an overview of what the tower site selection process could look like using examples of work GCI has done in Fairbanks. Her written report was provided for the record.

Reports

- A. Staff Report PL 15-55, City Planner's Report

City Planner Abboud reviewed the staff report.

There was brief discussion regarding the comments at the City Council meeting on the Bridge Creek Watershed Protection District ordinance.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

- A. Staff Report PL 15-58 CUP 15-02 Vacation of a 20 ft alley easement at 3361 B Street and 1473 Ocean Drive

Commissioner Venuti said he may have a conflict of interest as he has a contract with the applicant.

Chair Stead asked for a motion.

STROOZAS/BRADLEY MOVED COMMISSIONER VENUTI HAS A CONFLICT

Chair Stead asked if the amount exceeds parameters outlined in city code. Commissioner Venuti responded it does.

VOTE: YES: BOS, STEAD, STROOZAS, BRADLEY

Motion carried.

Commissioner Venuti left the table.

City Planner Abboud reviewed the staff report.

Andy Amso, applicant, commented he agrees the alley needs to be eliminated. The neighborhood is cleaned up and no one uses the alley for access.

Chair Stead opened the public hearing. There were no comments and the hearing was closed.

BOS/BRADLEY MOVED TO ADOPT STAFF REPORT PL 15-58 AND THE VACATION OF A 20 FOOT ALLY EASEMENT ALONG THE COMMON LOT LINE AT 3361 B STREET AND 1473 OCEAN DRIVE, LOTS 132, 133 AND 134 BAYVIEW SUBDIVISION WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Venuti returned to the table.

Plat Consideration

A. Staff Report PL 15-56 Stream Hill Park Unit 2 DeLaguna Addition

City Planner Abboud reviewed the staff report.

There was brief discussion about the flag on the lot. City Planner Abboud noted the dimensions on the flag don't change.

VENUTI/BRADLEY MOVED TO APPROVE STAFF REPORT PL 15-56 AND STREAM HILL PARK UNIT 2 DELAGUNA ADDITION PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

A. Staff Report PL 15-59 Towers

City Planner Abboud reviewed the most recent revisions to the draft ordinance.

City Planner Abboud would like to come up with language that will encompass a reasonable co-locate and consideration of service being proposed, lines 161-168. It was suggested they could be more specific on the radius depending on what type of service the tower provides. Another suggestion was the applicant has to show what they have done to establish when co-location isn't feasible.

With regard to lines 210-219 co-location and allowing bonus height to encourage co-location, City Planner Abboud expressed concern whether it conflicts with the standards they want and if it will result in a workaround relating to the conditional use permit. It was suggested that the residents may be more supportive of added height to co-locate more services on one tower than not offer the bonus, resulting in additional towers.

Ms. Windt Pearson joined the conversation and explained in situations where GCI finds a location and there is an opportunity for a height bonus for co-location they will generally reach out to the other two major providers to see if they are interested in co-locating. If interested, the other companies would submit a letter of interest that GCI would include in the CUP application to the applicable municipality. She added that other municipalities will do a max for the bonus height, like 10 feet for each additional co-location up to a max of 20 feet or 30 feet. In thinking about the landscape out there in the cell phone tower industry, you would be looking at only 3 providers max on a tower.

It was suggested they could define the zones where bonus height could be allowable and the areas that allow up to 120 feet don't get an option for bonus height. The application would have to provide evidence of the need to be considered to the bonus footage, they could consider requiring a joint application from the users rather than just a letter of intent.

City Planner Abboud touched on the definition of communication tower and his understanding that adding over ten feet to a structure that wasn't built to primarily support the new equipment, something needs to be done to the structure to support the additional capacity. They also addressed general pole standards and adding to power poles or telephone poles, setbacks, and visual impact.

Ms. Windt Pearson suggested that co-locating to a utility pole is something the commission should address because it is a location that carriers may want to consider as it is already a tall structure that may not have as much visual impact as a new one. If it something the commission wants to encourage it should be addressed in a clear and straight forward way that makes it easier to happen.

New Business

A. Staff Report PL 15-57 Elections for Planning Commission Chair and Vice Chair

Chair Stead opened the floor to nominations for Chair.

VENUTI/BOS MOVED TO NOMINATE CHAIR STEAD

Chair Stead accepted the nomination. No others were proposed.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Chair Stead opened the floor to nominations for Vice Chair.

VENUTI/BOS MOVED TO NOMINATE COMMISSIONER STROOZAS AS VICE CHAIR

Commissioner Stroozas accepted the nomination. No others were proposed.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Capital Improvement Plan Recommendations

It was noted for the record that Assistant City Manager Lawrence met with the Commission during their worksession to discuss the Capital Improvement Plan. The Commissioners stated their top two projects for the record as follows:

Commissioner Stroozas – Ice Plant Upgrades and Homer Senior Center Natural Gas Conversion Project

Commissioner Venuti – Replacement Ambulance, Main Street Reconstruction, and also Sterling Highway improvements

Commissioner Bos – Ice Plant Upgrades and Storm Water Master Plan

Commissioner Bradley - Storm Water Master Plan and Ice Plant Upgrade

Chair Stead – Storm Water Master Plan and Ice Plant Upgrade

There was consensus of the commission to forward their recommendation of Storm Water Master Plan and Ice Plant Upgrade for the 2016-2021 Capital Improvement Plan top two projects. Comments included the Ice Plant Upgrade is a relatively low cost project that will show a return and the Storm Water plan is also a low cost project and a topic the Commission has been addressing the ramifications of storm water impacts as new development comes in.

Informational Materials

A. City Manager's Report July 27, 2015

Comments of the Audience

Members of the audience may address the Commission on any subject. (3 minute time limit)

Kevin Dee, nonresident in the Bridge Creek Watershed Protection district, said he appreciates the time and thought the Commission is putting in to the details of the tower ordinance. There are a lot of unique applications that need to be considered related to the ordinance. He likes what he is hearing and provided information from research he has been doing. His vision for a good ordinance goes back to the comprehensive plan and what it addresses for quality of life for people. People care about reducing risk, providing services that industries and open market bring, and not diminish the quality of life they moved here for. A common thread he has found with other municipalities throughout the states is they don't want towers built on speculation and he appreciated the commission's discussion

about intention. He encouraged the group to seek outside expertise to assist them technically and an independent third party who can help gather information of who would be impacted visually and make sure to reach out to affected parties for input and it should be a cost born by the applicant. Those are the best practices he has found in his research.

Comments of Staff

Deputy City Clerk Jacobsen commented that the candidacy filing period is open for two city council seats.

Comments of the Commission

Commissioner Bradley said she will be absent on August 19th.

Commissioner Bos said it was a good meeting and congratulated the Chair and Vice Chair.

Commissioner Venuti said it was an interesting meeting. He commented about his observation of the minimal amount of traffic he is seeing on Pioneer Avenue this season and the substantial amount of vehicles on the bypass. He thinks the traffic flow is killing down town Homer and that the signage directing people to Pioneer Avenue could be improved. He suggested this is something they need to pay attention to and see what needs to change.

Commissioner Stroozas commented the Chamber of Commerce received a permit from DOT to construct a 16 foot self-service kiosk at the Baycrest pull out that will enable visitors to get information about what to do and see in Homer. It will be an attractive structure and they hope to have it in place by October. He thanked the Kachemak Board of Realtors for their donation of seed money and it will be constructed as an Eagle Scout project.

Chair Stead said he has noticed the same traffic issue Mr. Venuti spoke of. He appreciated tonight's discussion and thinks they did a good job tonight. He said he will be travelling and expects to be back on the 19th but wanted them to be aware in the event he isn't.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 8:42 p.m. The next regular meeting is scheduled for August 19, 2015 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Planning

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Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

STAFF REPORT PL 15-61

TO: Homer Advisory Planning Commission
FROM: Rick Abboud
MEETING: August 19, 2015
SUBJECT: City Planner's Report

Tall Structures – Towers: At this point, we have had quite a few revisions and still have a few subjects to address. Before we continue to labor much more over the ordinance, I am hoping to get a chance to measure the support from the City Council regarding some of the specific policies. I am hoping to avoid too many revisions or more requests that we take it back to the Planning Commission. I will keep working on the few items recognized at the last meeting and schedule a work session with the council.

City Council Report: In consideration of the amount of work amended or sent back to the Planning Commission for further consideration, I am requesting that we consider having a member of the commission report on what we are working on to the City Council. I believe that this is beneficial in two ways. 1. It helps the Council get up to speed on what exactly we are working on and how much work and consideration has gone into the recommendations and 2. It helps the City Council become more familiar with individual commissioners. Please consider making schedule to make reports on a regular basis. I am really hoping that it will reduce confusion and reworking recommendations.

September 14th: Lillian Walli: A public hearing a Special Assessment District for road and sewer improvements.

Educational opportunity: I have been requested to extend an invitation to Commissioners to attend two local courses offered by FEMA. On October 20-21st two FEMA courses: Tsunami Awareness (Oct. 20th) and Coastal Community Resilience (Oct. 21st) will be offered at Islands and Ocean Visitor Center. Register by Aug. 20th to avoid this class being cancelled. FEMA CEUs are available. Online registration at <https://ndptc.hawaii.edu/training>.

Hazard Mitigation Plan(HMP): Dotti has been working with the HMP committee. The lead coordination is Fire Chief, Bob Painter along with key organizations involved in emergency planning: KBBI, South Peninsula Hospital, Kachemak City, Enstar, FEMA and Catriona Reynolds. The goal is to have a draft HMP online for public viewing soon, followed by a public hearing(s) with adoption by our City Council sometime this winter.

Cannabis Advisory Commission: City Attorney Wells presented at a joint work session. The commission will review and comment on the proposed state regulations. It would be a good idea to have a look at what is being proposed. We will be making zoning recommendations to the City Council. You can be signed up for notification of new regulations and comments through the State of Alaska Alcoholic Beverage Control Board at <https://www.commerce.alaska.gov/web/abc/MarijuanaInitiativePublicInterestForm.aspx>



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Staff Report 15-62

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: August 19, 2015
SUBJECT: Weber Subdivision No. 9 Preliminary Plat

Introduction

The HAPC has already reviewed this plat and recommended approval at the April 15th, 2105 meeting. This plat is back before the Commission because the land owner is requesting an exemption from the required 15 foot utility easement (UE) along Hidden Way.

Requested Action: Comment on the request for a reduction in the 15 foot utility easement along Hidden Way.

Background: This property is on the corner of Hidden Way, and Crittenden, and is beach front property. See attached Staff report 15-23 for previous review of the plat.

HCC 22.10.051 Easements and rights-of-way (a) states:

"The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way."

The Preliminary Plat reviewed by the Commission in April did not show any utility easements along rights of way. Staff recommended a 5 foot UE along Crittenden and a 15 foot easement along Hidden Way. The City Council determined and passed an ordinance allowing a reduced setback along rights of way to the beach that are not buildable, and Crittenden is one of the streets with a reduced setback. A reduced utility easement is reasonable. When this plat was submitted to KPB, the 15 foot and 5 foot easements were shown. However, KPB staff read the staff report as stating five feet was acceptable for all easements, which is not the case. The Borough Planning Commission approved the five foot easement along both streets, and the surveyor prepared the final plat for signatures. When presented with a plat that does not meet our city code for the 15 ft UE, nor was it considered by HAPC, the City Manager did not sign the plat.

At that point, there was a lot of frustration for the land owner, developer, and staff because the plat was unsigned and couldn't be recorded. The land owner does not want to grant a 15 foot UE. All parties agreed that the plat should go back through the HAPC with this request for a narrower utility easement on Hidden Way.

Public Works Comments:

Hidden Way is only a 50 foot right of way and does not meet the city standard of 60 feet. There are existing utility pedestals in the right of way. If Hidden Way were to be reconstructed to City standards, these utilities would have to be relocated outside of the right of way. Reducing the 15 foot UE when the ROW is only 50 feet is not an acceptable solution along Hidden Way.

Homer City Code Title 22, Subdivisions:

22.10.040 Applicable and exempted subdivisions.

The standards of this chapter shall apply to all subdivisions in the City of Homer. Exemptions from the requirements of this chapter may be granted concurrent with preliminary plat approval by the Homer Advisory Planning Commission under the following conditions:

- a. Resubdivision of existing subdivisions not to exceed three lots, and involving no new dedications of rights-of-way; **Finding 1:** *The request meets this requirement*
- b. Special conditions and circumstances exist which are peculiar to the property involved, and are not generally applicable to other properties in the City. These special conditions cannot be caused by the actions of the applicant;

Discussion. This is an older subdivision and the ocean front lots on Hidden Way do not contain utility easements granted by plat. These lots are steep and generally have limited building area. While there are many steep lots in Homer, most do have access to a 10 or 15 foot utility easement, and a 60 foot right of way, as those are longstanding requirements of the City and Borough. There are no special conditions about the subject property that require an exception to the granting of a 15 foot utility easement, especially on a 50 foot right of way. **Finding 2:** *The request does not meet this requirement. There are no special conditions that are peculiar to the property that are not applicable to other properties in the City.*

- c. Financial hardship or inconvenience shall not be considered grounds for granting exception;

Discussion. The applicant states several reasons why the full 15 foot UE would cause hardship, citing the desire for in ground rain collection tanks, asphalt driveway, landscaping, boulder and driftwood rock garden, wooden walkways and a security system. Of these items, all are allowable within a utility easement, but as with any improvement within a UE, if a utility needs to use the easement, the improvements may be removed or relocated. With the exception of the security system and rain water tanks, all of the other improvements are commonly found within the 15 foot utility easement in our community. The applicant has provided no information on why a rain barrel or security system would be necessary within the easement. Financial hardship or inconvenience is not grounds for granting an exception. **Finding 3:** *The exception appears to be requested due to potential future inconvenience, which is a not ground to grant an exemption from the requirement to grant a 15 foot utility easement.*

- d. Previous exceptions shall not be considered grounds for granting exception.

Finding 4: *The request meets this requirement.*

Note: Staff is clarifying with the City Attorney what the due process is for this action, after the Commission. Staff will provide an update at the Commission meeting if not before.

Staff Recommendation:

Planning Commission recommend denial of the exemption request with findings 1-4, or, revise findings two and three to approve the exemption request.

Attachments:

1. Preliminary Plat
2. Exception request
3. Public Notice
4. Staff Report 15-23 with attachments
5. Minutes excerpt of April 15, 2105
6. Kenai Peninsula Borough Planning Notice of decision and minutes

NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HP-1000 RECEIVERS DIFFERENTIALLY COLLECTED AND PROCESSED WITH MAGNET OFFICE VERSION 1.21 SOFTWARE. NA83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMER" (PID 770155).

2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMER" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -117°13'4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999966696.

3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMER" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.

4. THE FRONT 5 FEET ALONG RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT.

5. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

6. DEVELOPMENT IS SUBJECT TO CITY OF HOMER ZONING REGULATIONS.

7. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.

8. THE AREA BETWEEN THE CURRENT MHNL AND THE 1917 MHNL MAY BE SUBJECT TO PRIVATE AND PUBLIC LITIGATIONAL OR INTERFERE WITH THE 1917 MHNL. THE 1917 MHNL IS THE RECORD FROM THE 1964 EARTHQUAKE. THE 1917 MHNL WAS USED FOR AREA COMPUTATION.

9. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.

10. THIS LOT IS AFFECTED BY A BLANKET EASEMENT OF RECORD GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 17, PG 325 HRD).

11. THE FLOOD ZONE DESIGNATION FOR LOT 8-A IS AS FOLLOWS: THE PORTION OF LOT 8-A THAT FALLS BELOW ELEVATION 32.0 FEET (NAVD83) IS IN ZONE RE. THE PORTION OF LOT 8-A THAT FALLS ABOVE ELEVATION 32.0 FEET (NAVD83) IS IN ZONE D. THE FLOOD ZONE DATA IS FROM THE FLOOD INSURANCE RATE MAPS PANEL 6040C, DATED NOVEMBER 6, 2013.

12. RIGHT-OF-WAY CENTERLINES WERE RE-ESTABLISHED FROM TIES TO MONUMENTS SHOWN ON THE CITY OF HOMER 1977 CONTROL SURVEY BY KEN BRANCH (1501-S). COH MON#6 (5/8" REBAR) AND COH MON#9 (5/8" REBAR) WERE TIED PRIOR TO THEIR DESTRUCTION DURING THE CRITTENDEN DRIVE RECONSTRUCTION PROJECT IN 2013.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 5-26-15

BY: DATE
KENAI PENINSULA BOROUGH

3. exceptions granted for
20.30.140 and 20.30.120 on 5-26-15

WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND

● INDICATES BC MON CE1/16 SEC. 19 (3686-S, 1976) RECOVERED THIS SURVEY

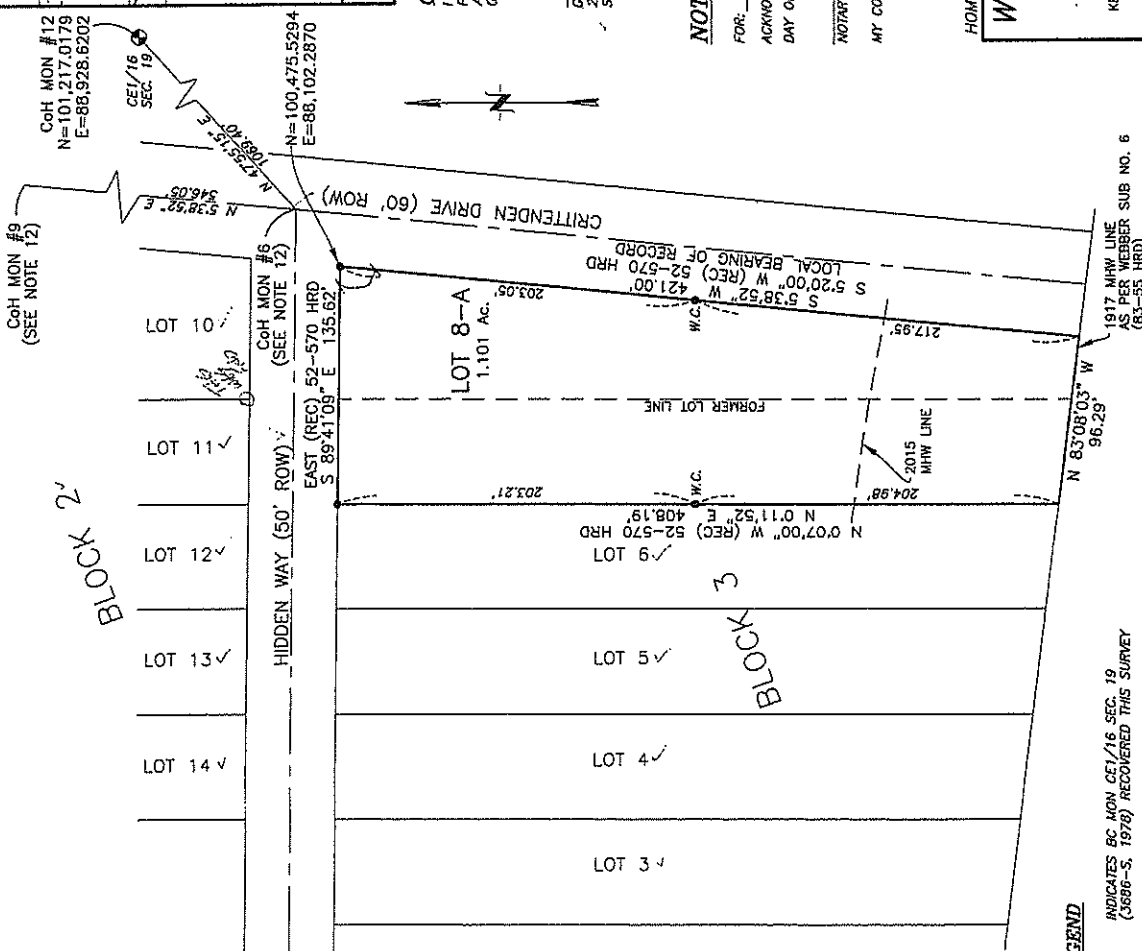
• INDICATES 5/8" x 30" REBAR WITH 2" ALCAP (7538-S, 2015) SET THIS SURVEY → 50 4

(REC) INDICATES RECORD DATA monuments were set this survey??

INDICATES AREA WITH SLOPES EXCEEDING 20% it none attach plat



GRAPHIC SCALE



CoH MON #9 (SEE NOTE 12)

N=101.217.0179
E=88.928.6202

CE1/16 SEC. 19

N 100.475.5294
E=88.102.2870

CoH MON #6 (SEE NOTE 12)

N 100.475.5294
E=88.102.2870

CoH MON #6 (SEE NOTE 12)

N 100.475.5294
E=88.102.2870

CoH MON #6 (SEE NOTE 12)

N 100.475.5294
E=88.102.2870

CoH MON #6 (SEE NOTE 12)

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CoH MON #6 (SEE NOTE 12)

N 100.475.5294
E=88.102.2870

CoH MON #6 (SEE NOTE 12)

N 100.475.5294
E=88.102.2870

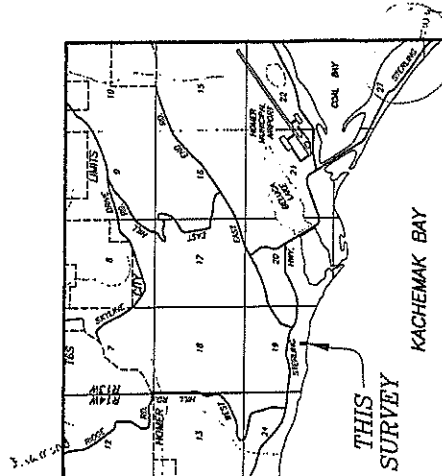
CoH MON #6 (SEE NOTE 12)

N 100.475.5294
E=88.102.2870

CoH MON #6 (SEE NOTE 12)

N 100.475.5294
E=88.102.2870

CoH MON #6 (SEE NOTE 12)



VICINITY MAP

SCALE: 1" = 1 MILE
U.S.G.S. QUAD SELDONIA (C-5)

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY HEREIN DESCRIBED AND I HEREBY ADOPT THIS PLAN OF RECONSTRUCTION AND I DO CONSENT GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

GEORGE E. LONG
283 DIANE LANE
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGMENT

FOR:
ACKNOWLEDGED BEFORE ME THIS 10-18-15 DAY OF June, 2015.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: 6-26-15
Leahly Telecon
W/ GC 5/11/17

HOMER RECORDING DISTRICT KPB FILE NO. 2015-053

WEBBER SUBDIVISION NO. 9

A REPLAT COMBINING LOTS 7 AND 8, BLOCK 3, WEBBER SUBDIVISION (52-570 HRD) SITUATED WITHIN THE NW 1/4, SE 1/4, SEC 18, T. 6 S., R. 13 W. SEWARD MERIDIAN, LOCATED WITHIN THE CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 1.101 ACRES

OWNER:
GEORGE E. LONG

283 DIANE LANE, SOLDOTNA AK 99669

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@gci.net

DRAWN BY: SCS DATE: MARCH 2015 SCALE: 1" = 50'

CHK BY: SCS JOB #15-01 SHEET 1 OF 1



X= 64-39-59

GEORGE E LONG

283 Diane Ln

Soldotna, Alaska 99669

Phone 907 420-0646

July 31, 2015

City of Homer, Planning

Homer Advisory Planning Commission

491 East Pioneer Ave.

Homer, Alaska 99603

Ref: Webber Subdivision 9, Preliminary Plat

REQUEST FOR EXCEPTION TO THE CITY CODE

RECEIVED

JUL 31 2015

**CITY OF HOMER
PLANNING/ZONING**

Name and address of Owner/Applicant:

George E. Long

283 Diane Ln

Soldotna, Alaska 99669

Legal Description of Property:

Webber Subdivision No. 9

Block 3, Lot 8-A

As Shown on attached Preliminary Plat

Planning Commission Members;

Early this spring, I purchased two undeveloped lots in the Webber Subdivision on the corner of Crittenden and Hidden Way. The Webber Subdivision was plated in 1952 and my lots 7 and 8 were long narrow strips of land approximately 60 ft wide by 400 ft long. This length to width ratio would not be remotely acceptable under today's subdivision standards but I have no ability to change the shape of the lots other than removing the lot line which would make a single lot with a ratio of approximately 3 to 1. To my knowledge, there was no city code or building restrictions in 1952 that effected my lot and none are recorded on the survey plat used

to convey the property to me a few months ago. The 1952 Webber Subdivision adequately provided for the future development of all utilities thru dedication of public roads and alleys for that purpose. Proof that the existing 50 foot wide road (Hidden Way) in front of my property is actually more than adequate can be found in the simple fact that not only have all of the basic utilities (water, sewer and electricity) been installed there but all known non-essential utilities like cable, telephone and natural gas have also been installed there with no problems. When the city made Larry Herndon (the original lot owner) extend the water main to the western edge of my lots, they said nothing about any additional need for a utility easement. In fact, he was instructed to build the extension in the Hidden Way ROW and he did so without any problem. Without knowing every situation that could arise in the future, it appears to me that if a wider utility easement is needed in the future it would have to be purchased from my neighbors and the logical location would be along the flat high ground on the north side of Hidden Way and not the steep cliff side of the road that my property is on.

Having vacated a lot line between two lots that I own in Soldotna about ten years ago, it was my belief and intent that I could do the same thing in Homer and build one house on the combined lots. Prior to closing on the lots last fall, I visited with the Homer Planning Office, Public Works Department, Enstar and Homer Electric to find out what the status of utilities was. I discovered that the sewer line was in place and operational but the water main near the corner of my property had to be extended down Hidden Way to the western boundary of Lot 7 if I wanted to tap into City water for the combined lots. I got the Seller to extend the water main at no expense to the City, and in the process correct a serious DEC code violation involving the existing water main: only one stub-out was installed because it was anticipated by everyone involved that the lots would soon be combined and by code the combined lot could only have one stub-out. Estimated cost of this project including engineering and construction is \$23,000. Enstar and Homer Electric confirmed that their service lines were installed in Hidden Way and available for connection.

Around March of this year, I hired Steve Smith to survey the property and begin the process of combining the two lots. He informed me that the process had changed and was now more complicated because the Borough now imposes the same requirements on vacating a lot line as it does on creating a complete new subdivision. Although, I don't understand the reasoning behind what seems to be a un-necessary and burdensome addition to what used to be a fairly simple process, my desire to build my dream home in the Homer community spurred me on. Hopefully, someone will understand that imposing additional restrictions on a new, one lot subdivision within a very old subdivision that has no similar restrictions will not improve or correct any of the non-compliant issues in the rest of the subdivision. A 130 foot long utility easement across the front of my property is only useful if it connects to a similar utility easement on my neighbor's property and so on down the line. The city requirement of dedicating a 15 foot utility easement across the front of every lot in a new subdivision should not be applied to my lots because the reality of the situation is that the combined lots are still part of the original subdivision and still serviced by all of the utilities that are located in a 50 foot wide road. The road (Hidden Way) contains all known utility services in place and usable. I should also be granted an exception to the 15 foot utility easement dedication for the same reason that I was granted an exception for the width of Hidden Way being less than required of

a new subdivision road. Dedicating another 5 feet to widen Hidden Way assuming it could actually be built would only create a jog in the road that served no purpose and the same reasoning should apply to the requested additional 15 foot utility easement. I do understand that putting utilities down a dedicated road is not the best location but I did not design the original subdivision and cannot change what already exist. Anyone that is familiar with Hidden Way knows that it would be impossible to put any utilities down an easement abutting the south boundary of Hidden Way. I could dedicate a 100 foot utility easement with complete confidence that it would never be used by the city for utilities but that is not the point. Even after combining the two lots, I have an extremely small area of usable land (about 3200 SF) along the northern boundary on which to build a house excluding setbacks. I have offered to dedicate a 5 foot utility easement for sidewalks and unknown utilities that the city may find necessary in the future but the additional 10 feet of the requested utility easement would prevent my use of that area for a lift station and undergrown rainwater collection tanks that are essential parts of my overall plans for the property.

My understanding of the subdivision approval process from reading the various codes is that ANY utility could ask for a utility easement in a new subdivision in anticipation of future needs. All of the utility companies that service the Webber Subdivision have approved my preliminary plat that includes a 5 foot utility easement along Crittenden and Hidden Way. The existing 50 foot wide Webber Subdivision road plus the additional 5 feet that I am proposing will create a utility easement that is more than sufficient to handle all current and future needs of my new one lot subdivision. The 5 foot that I am offering to dedicate is of little or no use to the city because it is only across my lot and about half is too steep to build anything on but it is 5 foot more than city has now. If the city rejects this application for a variance, I will be forced to abandon all of my architectural and engineering plans and start over next year with much smaller houses on each existing lot without forming a new subdivision. .

Request for Exception to City Code:

Description: This request is for an exception concerning a required 15 ft utility easement described in Section 22.10.051 a. of the Homer Zoning Code.

22.10.051 Easements and rights-of-way. 10 SHAPE

a. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Specifically, I am requesting that the 15 foot wide utility easement described above be reduced to 5 foot-wide for the following reasons:

- 1. A literal interpretation of Section 22.10.951 a. of the Homer Zoning Code will deprive me of rights and privileges to use the land for permitted uses enjoyed by*

all other Webber Subdivision Lot owners in the same district that have no utility easement across their property. Other lot owners in my subdivision currently have outbuildings, boardwalks, stairs, underground tanks and other structures within this 15' area off of the Right of Way. The additional 10 foot of utility easement that the city is requesting represents a significant amount of flat, buildable space that I want to use for in-ground rain collection tanks, asphalt driveway, landscaping, boulder and driftwood rock garden, wooden walkways and a sophisticated security system.

2. *Special conditions and circumstances exist that are peculiar to vacating the lot line between my two lots to create what the Kenai Peninsula defines as a "NEW SUBDIVISION" that are not applicable to other newly formed subdivision lots in the district.*

- a) *This "New Subdivision" contains only one lot that was created by combining two lots in an existing 60 year old subdivision and not by the usual division of a larger tract of land into two or more lots as the State of Alaska defines a "Subdivision".*

- b) *This "New Subdivision" was not created by a Land Developer or "subdivider" because I do not qualify as a Land Developer and because i am combining lots and not dividing lots. Also NO lot created by this new subdivision is or will be for sale.*

- c) *This "New Subdivision" already had a name and all of the necessary amenities like roads and utilities in place before this "New Subdivision" was even created and there is no need for more utilities or roads across one lot if the rest of the subdivision remains unchanged.*

- d) *The physical boundaries, access roads and location of servicing utilities for this "New Subdivision" were all predetermined by the Parent Subdivision over 60 years ago.*

- e) *This "New Subdivision" joins and is serviced by a 50 foot wide public road (Hidden Way) that easily contains all known utilities including city water and sewer, undergrown electricity, natural gas, cable and telephone. **All of the other utility companies (Enstar, ACS, HEA) that service this subdivision have***

already agreed to the proposed 5' utility easement as shown on the attached plat.

f) The city code for new subdivisions was clearly drafted for a completely new subdivision where the applicant is in the design stage and has the ability to control the size and shape of lots plus the location and size of streets and utility easements. My one lot subdivision is still part of the parent subdivision and forcing me bring one lot up to the standards of a new subdivision lot accomplishes nothing if the rest of the original subdivision remains unchanged. New subdivisions usually contain more than one lot and all lots are governed by the same code restrictions.

g) The two lots that will be combined to form the "New Subdivision" are located on steep sloping terrain with only a very small area along the beach and in the northeast corner that is flat enough to build a house on. Code restriction on the usable building space was not a consideration when the lots were laid out for the parent subdivision 60 years ago because there were no governing codes. A true developer of a new subdivision would have the ability to take into consideration and implement current subdivision code requirements to create lots with ample building space for the intended use.

h) The city should also consider the positive and negative consequences to the area economy in deciding to approve or disapprove this exception:

Positive Effects of Approval:

- 1). The length to width ratio will go from 6.8 to 3.0*
- 2). Housing density of the combined lot will be half of what it will be if lots are not combined.*
- 3) Local suppliers and contractors like Spenard Builders, Beachy Construction, Arno Construction, Eayrs Plumbing and Heating, Woodworth Electric, Frank Cloyd Design and Bishop Engineering, to name a few, will have additional revenues this winter.*
- 4) Tax revenues and property values will go up for the city*
- 5) City gets a 5 foot utility easement that it does not have now.*

Negative Effects of Approval. THERE ARE NONE

i) Applicant is a handicapped 70 year old man that has invested a great deal of money into engineering, planning and design of a house that can accommodate his disabilities. Construction of a smaller house on one of the existing lots as an alternative to the current design is a possibility, but design and engineering would delay anything from starting for at least 8 months and time is an important consideration for this applicant.

3. None of the special conditions and circumstances that require the requested exception to be approved have been caused by the applicant.

Sincerely,

George E. Long Applicant

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Webber Subdivision No. 9 Preliminary Plat. The property owner is requesting an exception to the fifteen foot utility easement along Hidden Way. A five foot easement would be granted instead.

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, August 19, 2015 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning these matters may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud in the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE

Vicinity Map

STERLING HWY

WADDELL ST

WADDELL RD

CRITTENDEN DR




HIDDEN WAY

Applicant is requesting an exception to the required 15 foot utility easement along Hidden Way. A five foot easement would be granted instead.

These two lots to become one large lot.

Kachemak Bay

Legend

-  Subject Lots
-  Properties within 500 feet
-  Parcels



City of Homer
Planning and Zoning Department

August 6, 2015

Webber Subdivision No 9 Preliminary Plat

Marked lots are within 500 feet
and property owners notified.

0 250 500 Feet



Disclaimer:
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.

NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION SURVEY USING TOPCON DUAL FREQUENCY HP-4700 RESOURCES. DEFLECTION ANGLE WAS MEASURED WITH A MAGNET COORDINATE VERSION 2.11 SOFTWARE. MAGNET ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GCS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMER" (PD T0155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMER" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS $+171^{\circ}13'4"$. TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986659.
3. THE RESULTING SCALING COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMER" $N=100,400$ $E=100,000$. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE FRONT 5 FEET ALONG RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT.
5. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
6. DEVELOPMENT IS SUBJECT TO CITY OF HOMER ZONING REGULATIONS.
7. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
8. THE AREA BETWEEN THE CURRENT MHWL AND THE 1917 MHWL BE SUBJECT TO PRIVATE AND PUBLIC LITTORAL OR INTERLITTORAL RIGHTS. THE 1917 MHWL IS THE ELEVATION RECORD FOR THE 1984 EARTHQUAKE. THE 1917 MHWL WAS USED FOR AREA COMPUTATION.
9. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL STATE AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
10. THIS LOT IS AFFECTED BY A BLANKET EASEMENT OF RECORD GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 17, PG 325 HRD).
11. THE FLOOD ZONE DESIGNATION FOR LOT 8-A IS AS FOLLOWS: THE PORTION OF LOT 8-A THAT FALLS BELOW ELEVATION 32.0 FEET (MWD80) IS IN ZONE VE. THE PORTION OF LOT 8-A THAT FALLS ABOVE ELEVATION 32.0 FEET (MWD80) IS IN ZONE D.
12. RIGHT-OF-WAY CENTERLINES WERE RE-ESTABLISHED FROM TIES TO MONUMENTS SHOWN ON THE CITY OF HOMER 1977 CONTROL SURVEY BY KEN BRANCH (1501-S). COH MON #6 (578' REBAR) AND COH MON #9 (578' REBAR) WERE TIED PRIOR TO THEIR DESTRUCTION DURING THE CRITTENDEN DRIVE RECONSTRUCTION PROJECT IN 2013.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 5-26-15

BY: AUTHORIZED OFFICIAL DATE
KENAI PENINSULA BOROUGH

- 3. exceptions granted for 20-30-140 and 20-30-120 on 5-26-15

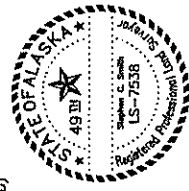
WASTEWATER DISPOSAL

20-40-070 PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

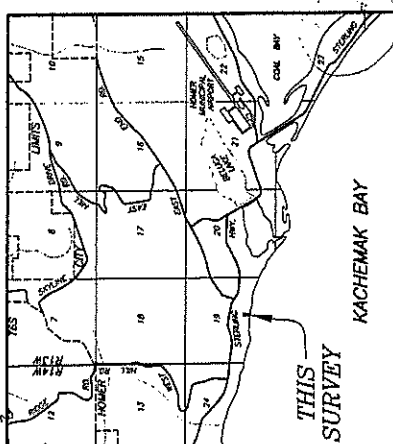
LEGEND

- INDICATES BC MON CEI/16 SEC. 19 (3686-S, 1978) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2015) SET THIS SURVEY \rightarrow 50 4
- (REC) INDICATES RECORD DATA
- INDICATES AREA WITH SLOPES EXCEEDING 20% (REINFORCE if none after plat)

KACHEMAK BAY



84-39-59



VICINITY MAP

SCALE: 1" = 1 MILE
U.S.G.S. QUAD, SELDOWIA (C-3)

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT I HEREBY ADAPT THIS PLAN OF REPLAT, AND BY MY FREE CONSENT GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

GEORGE E. LONG
283 DUNE LANE
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGMENT

FOR: ACKNOWLEDGED BEFORE ME THIS 10-18-15 day OF NOVEMBER, 2015.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 6-26-15 pm
LENEIDY TELE CO
W/ SC Smith

HOMER RECORDING DISTRICT KPB FILE NO. 2015-053

WEBBER SUBDIVISION NO. 9

A REPLAT COMBINING LOTS 7 AND 8, BLOCK 3, WEBBER SUBDIVISION (52-570 HRD) SITUATED WITHIN THE NW 1/4 SE 1/4, SEC 19, T. 6 S., R. 13 W., SEWARD MERIDIAN, LOCATED WITHIN THE CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 1.101 ACRES

OWNER:
GEORGE E. LONG
283 DUNE LANE, SOLDOTNA AK 99669

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: gsosmith@ci.net

DRAWN BY: SCS DATE: MARCH 2015 SCALE: 1" = 50'
CHK BY: SCS JOB #15-01 SHEET 1 OF 1



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 15-23

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: April 15, 2015
SUBJECT: Staff Report PL 15-23

Requested Action: Preliminary Plat approval for the vacation of a common lot line, creating one larger lot from two smaller lots.

General Information:

Applicants:	Geovera, LLC P.O Box 3235 Homer, AK 99603	Larry Herndon & Michael Bartholomew PO Box 262 Homer, AK 99603
Location:	Hidden Way and Crittenden Drive	
Parcel ID:	17518107 and 17518108	
Size of Existing Lot(s):	.56, and .53 acres	
Size of Proposed Lots(s):	1.101 acres	
Zoning Designation:	Urban Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Vacant South: Kachemak Bay East: Lodging West: vacant	
Comprehensive Plan:	Goal 1 Object B (p. 4-4) Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate-to-high density residential and mixed use areas with lower densities in outlying areas.	
Wetland Status:	Tidal on south ends of lots.	
Flood Plain Status:	Zone VE in and near tidal areas	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 35 property owners of 30 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Gateway Business District. This plat vacates a common lot line between the two parcels.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: Per the Resolution 2005-060 Crittenden Drive south of Hidden Way has been declared unsuitable for road construction and is then bound to the standards of setback from boundaries other than dedicated rights-of-way per HCC 21.14.040(b)(3). We find that a 5 foot utility easement found in plat note #5 is adequate.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements. No additional easements are needed at this time.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat does not meet the requirements of A3: The name and address of the property owner is not listed.

- B. North point;

Staff Response: The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The Plat meets this requirement, MHW is displayed.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: Location of slopes over 20 percent are not displayed. Piped water and sewer are available. Determination of slope will be necessary for development purposes. Recommend providing slope calculations to the Borough if requested.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. There are no apparent encroachments.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments: No comments.

Fire Department Comments: No issues.

Staff Recommendation:

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Include the name and address of the property owner on the plat.

Attachments:

1. Preliminary Plat
2. Public Notice
3. Aerial Map

NOTES

1. BASES OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH SURVEY USING TOPCON DUAL-FREQUENCY GPS WITH A VECTORIZED GPS RECEIVER. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ALASKA SURVEYING ACT, AS AMENDED, AND THE ALASKA SURVEYING REGULATIONS. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ALASKA SURVEYING ACT, AS AMENDED, AND THE ALASKA SURVEYING REGULATIONS. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ALASKA SURVEYING ACT, AS AMENDED, AND THE ALASKA SURVEYING REGULATIONS.
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMER" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -117°13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986686.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMER" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY A.S. 40.15.140.2.
5. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN 10 FEET OF THE SURVEYED LOT INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
6. A SETBACK OF 20' IS REQUIRED FROM ALL STREET FRONT-OF-WAY LINES UNLESS A LASSER EVIDENCED BY RESOLUTION OF APPROPRIATE PLANNING COMMISSION.
7. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS
DAY OF _____, 2015.

FOR: _____

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS
DAY OF _____, 2015.

FOR: _____

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

WASTEWATER DISPOSAL

2014.070
PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

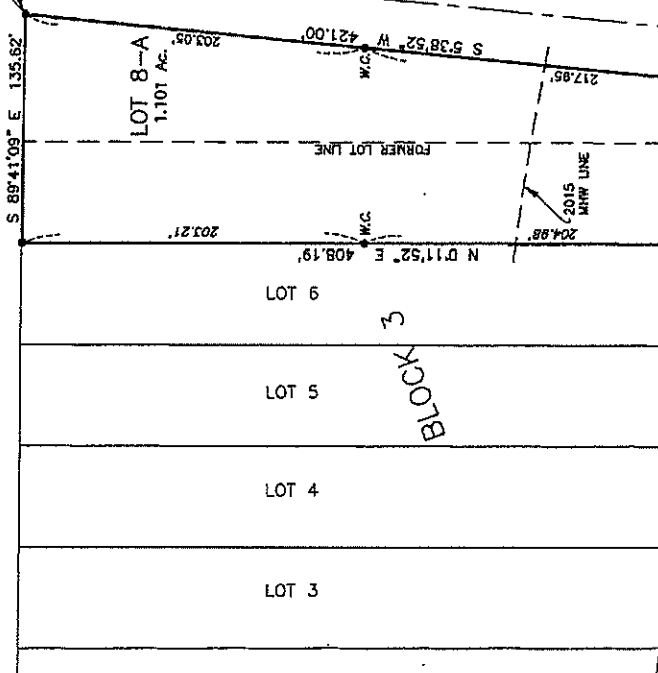
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH IN ACCORDANCE WITH KPB 20.10.040.

BOROUGH OFFICIAL _____ DATE _____

BLOCK 2

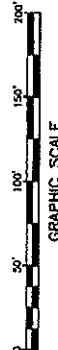
LOT 10	LOT 11	LOT 12	LOT 13	LOT 14
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HIDDEN WAY (50' ROW)

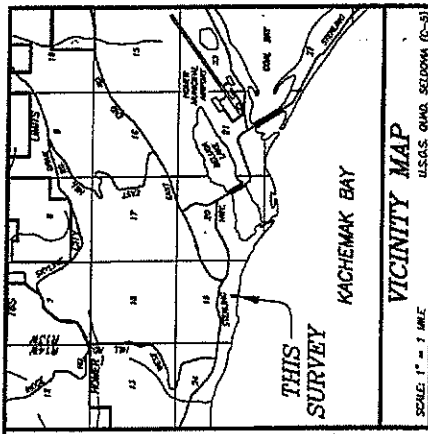


LEGEND

- INDICATES BC MON CE/16 SEC. 19 (3686-S, 1978) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCP (7538-S, 2015) SET THIS SURVEY



GRAPHIC SCALE



VICINITY MAP

SCALE: 1" = 1 MILE
U.S.G.S. QUAD, SELOONA (Q-8)

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HAVE ALREADY THIS PLAN OF REPLAT, AND BY OUR FREE CONSENT GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

LARRY HENDON
PO BOX 242
HOMER, ALASKA 99603

MICHAEL BARTHOLOMEW
PO BOX 242
HOMER, ALASKA 99603

HOMER RECORDING DISTRICT KPB FILE NO. 2015-22

WEBBER SUBDIVISION NO. 9

A REPLAT COMBINING LOTS 7 AND 8, BLOCK 3, WEBBER SUBDIVISION (52-570 HED) LOCATED WITHIN THE NW 1/4 SE 1/4, SEC 18, T. 6 S., R. 13 W., SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

GEOVERA, LLC
PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@geci.net

DRAWN BY: SCS	DIED MARCH 2015	SCALE: 1" = 80'
CHECK BY: SCS	JOB #15-01	SHEET 1 OF 1

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Webber Subdivision No. 9 Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, April 15, 2015 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning these matters may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

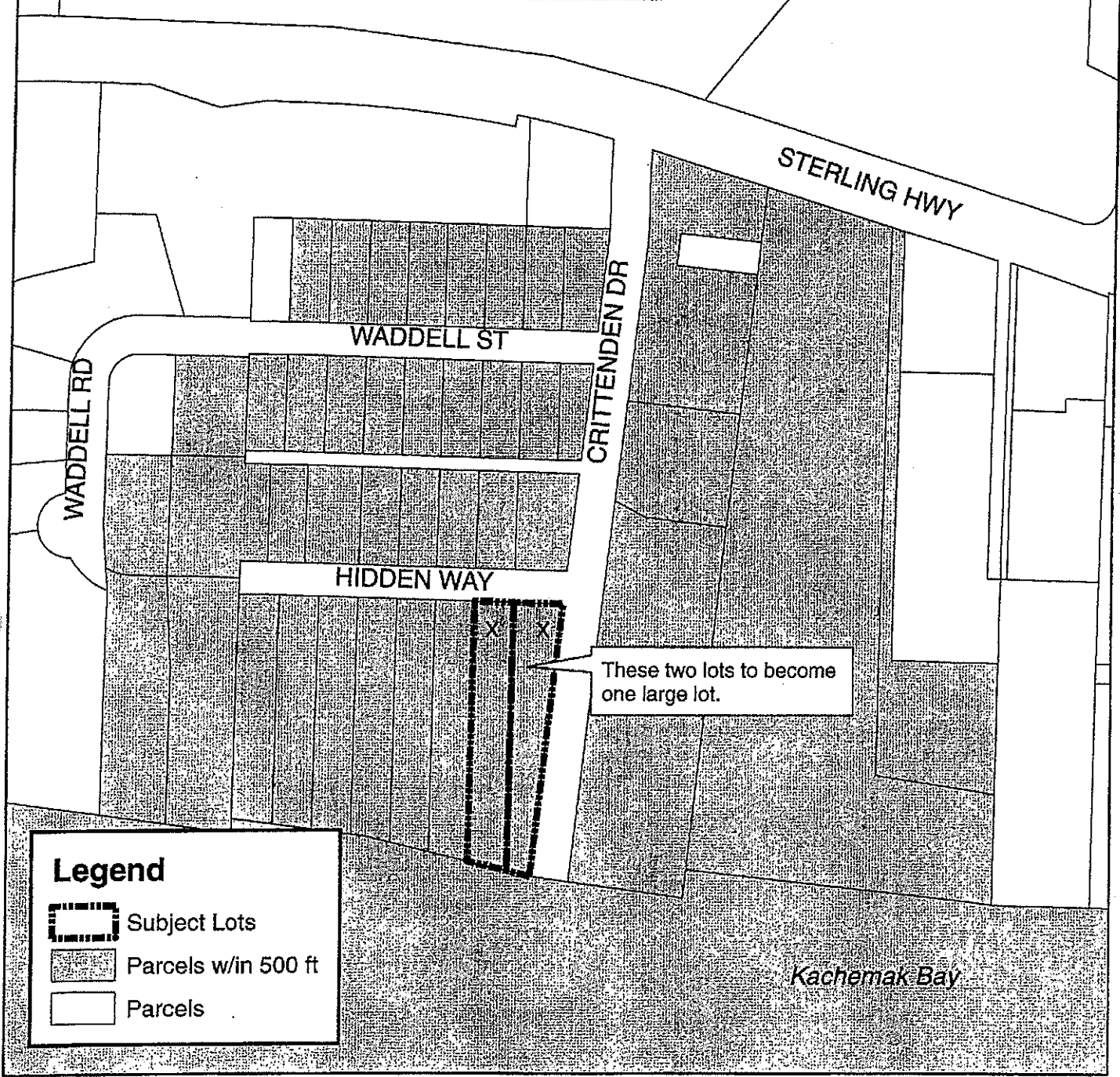
The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud in the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE

Vicinity Map



City of Homer
Planning and Zoning Department

March 31, 2015

Webber Subdivision No 9 Preliminary Plat

Marked lots are within 500 feet
and property owners notified.

0 190 380 Feet



Disclaimer:
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.

Aerial Map



Legend

- Subject Lots
- Parcels w/in 500 ft
- Parcels



City of Homer
Planning and Zoning Department
 March 31, 2015

Webber Subdivision No 9 Preliminary Plat

Marked lots are within 500 feet
 and property owners notified.

0 190 380 Feet



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 contained herein, or deductions, interpretations
 or conclusions drawn therefrom.

Plat Consideration

A. Staff Report PL 15-23 Webber Subdivision No. 9 Preliminary Plat

City Planner Abboud reviewed the staff report.

Steve Smith, project surveyor, said he was available for questions.

Chair Stead opened the floor to public comments.

Michael Kennedy, city resident, noted that there is water and sewer installed and the property to the west has a small house. He supports vacating the lot line as it will allow the buyer ease in develop the lot as they will likely have more challenges with the overslope rules

There were no further public comments.

Steve Smith, project surveyor, pointed out that this action shouldn't be subject to subdivision requirement and provided some history on his experience with defending that a lot line vacation is not the same as a subdivision.

Commissioner Venuti asked if the applicant is aware that this action does not change the assessments for the gas line related to the two properties. City Planner Abboud said he has not spoken with the applicant and does not know if they are aware.

BOS/HIGHLAND MOVED TO APPROVE STAFF REPORT PL 15-23 AND THE WEBBER SUBDIVISION NO. 9 PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Staff Report PL 15-24 Foothills Marley-Dell Replat Preliminary Plat

City Planner Abboud reviewed the staff report.

There were no applicant comments, no public comments, and no questions from the Commission.

BOS/HIGHLAND MOVED TO APPROVE STAFF REPORT PL 15-24 FOOTHILLS MARLEY-DELL REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

May 28, 2015

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE MEETING OF MAY 26, 2015

RE: Webber Subdivision No. 9 Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of May 26, 2015 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; and 20.40.

AMENDMENT A

An amendment motion passed by unanimous consent to grant exception to KPB 20.30.190, 3:1 depth to width ratio based on the following findings of fact.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. Parent plat was completed before there was a 3:1 depth to width requirement.
2. This plat improves the depth to width ratio by vacating the line between Lots 7 and 8.
3. The Witness Corners are back a few feet from where the drop-off to the beach occurs.
4. The subdivision is within the City of Homer.
5. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
6. The parent plat was recorded on September 2, 1952, prior to formation of KPB.
7. The area above the Witness Corners appears to comply with the 3:1 depth to width ratio.
8. City water and sewer serve the subdivision.
9. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
10. The configuration of the parent lots constrains the shape of the replat.
11. A submittal showing the slopes greater than 20 percent has been provided.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. Parent plat was completed before there was a 3:1 depth to width requirement.
2. This plat improves the depth to width ratio by vacating the line between Lots 7 and 8.
3. The Witness Corners are back a few feet from where the drop-off to the beach occurs.
4. The subdivision is within the City of Homer.
5. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
6. The parent plat was recorded on September 2, 1952, prior to formation of KPB.
7. The area above the Witness Corners appears to comply with the 3:1 depth to width ratio.
8. City water and sewer serve the subdivision.
9. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
10. The configuration of the parent lots constrains the shape of the replat.
11. A submittal showing the slopes greater than 20 percent has been provided.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. Parent plat was completed before there was a 3:1 depth to width requirement.
2. This plat improves the depth to width ratio by vacating the line between Lots 7 and 8.
3. The Witness Corners are back a few feet from where the drop-off to the beach occurs.
4. The subdivision is within the City of Homer.
5. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
7. The area above the Witness Corners appears to comply with the 3:1 depth to width ratio.
8. City water and sewer serve the subdivision.
9. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
10. The configuration of the parent lots constrains the shape of the replat.
11. A submittal showing the slopes greater than 20 percent has been provided.

AMENDMENT B

An amendment motion passed by unanimous consent to grant exception to KPB 20.30.120, Street – Width Requirements based on the following findings of fact.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. The subdivision is within the City of Homer.
2. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
3. The parent plat was recorded in 1952, prior to formation of KPB.
4. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
5. Homer Advisory Planning Commission did not discuss road width during their review.
6. The Planning Commission vacated a portion of Waddell Loop Road on November 10, 1997 so it is no longer possible to be part of a looped access for the block.
7. The vacation of a portion of Waddell Loop Road in 1997 converted Hidden Way into a dead end street.
8. Hidden Way serves 17 parcels ranging in size from 8,712 to 26,572 square feet.
9. Fixed wing imagery shows structures on some lots adjoining Hidden Way are very close to the right-of-way.
10. Unless all parcels fronting Hidden Way could be further subdivided to provide additional right-of-way, a dedication by the subject plat would create a jog in the right-of-way.
11. Per the Homer City staff report, the Homer Fire Department had no issues with the proposed plat.
12. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road.
13. A turnaround easement for emergency vehicles was granted within Lot 10A-1 Webber Subdivision Bluff Park Replat and Lot 6B Bluff Park Harmon Porter 12997 Addition by HM 2005-001933.
14. Lots 10-14 Webber Subdivision and Lots 10A-1, 15-A and 16-A Webber Subdivision Bluff Park Replat also front a 20-foot alley.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. The subdivision is within the City of Homer.
2. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
3. The parent plat was recorded in 1952, prior to formation of KPB.
4. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
5. Homer Advisory Planning Commission did not discuss road width during their review.
6. The Planning Commission vacated a portion of Waddell Loop Road on November 10, 1997 so it

- is no longer possible to be part of a looped access for the block.
7. The vacation of a portion of Waddell Loop Road in 1997 converted Hidden Way into a dead end street.
 8. Hidden Way serves 17 parcels ranging in size from 8,712 to 26,572 square feet.
 9. Fixed wing imagery shows structures on some lots adjoining Hidden Way are very close to the right-of-way.
 10. Unless all parcels fronting Hidden Way could be further subdivided to provide additional right-of-way, a dedication by the subject plat would create a jog in the right-of-way.
 11. Per the Homer City staff report, the Homer Fire Department had no issues with the proposed plat.
 12. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road.
 13. A turnaround easement for emergency vehicles was granted within Lot 10A-1 Webber Subdivision Bluff Park Replat and Lot 6B Bluff Park Harmon Porter 12997 Addition by HM 2005-001933.
 14. Lots 10-14 Webber Subdivision and Lots 10A-1, 15-A and 16-A Webber Subdivision Bluff Park Replat also front a 20-foot alley.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. The subdivision is within the City of Homer.
2. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
4. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
5. Homer Advisory Planning Commission did not discuss road width during their review.
6. The Planning Commission vacated a portion of Waddell Loop Road on November 10, 1997 so it is no longer possible to be part of a looped access for the block.
7. The vacation of a portion of Waddell Loop Road in 1997 converted Hidden Way into a dead end street.
11. Per the Homer City staff report, the Homer Fire Department had no issues with the proposed plat.
12. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road.
13. A turnaround easement for emergency vehicles was granted within Lot 10A-1 Webber Subdivision Bluff Park Replat and Lot 6B Bluff Park Harmon Porter 12997 Addition by HM 2005-001933.
14. Lots 10-14 Webber Subdivision and Lots 10A-1, 15-A and 16-A Webber Subdivision Bluff Park Replat also front a 20-foot alley.

This notice and unapproved minutes of the subject portion of the meeting were sent May 28, 2015 to:

City of: City of Homer
491 E. Pioneer Ave
Homer, AK 99603

Advisory Planning Commission/Community Council: Homer Advisory Planning Commission
491 E Pioneer Ave
Homer, AK 99603

Survey Firm: Geovera, LLC
PO Box 3235
Homer, AK 99603

Subdivider/Petitioner: George Long
283 Diane Lane
Soldotna, AK 99669

KPB File Number: 2015-053

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

5. Webber Subdivision No. 9
KPB File 2015-053; Geovera/Long

Staff Report given by Patti Hartley

Plat Committee Meeting: 5/26/15

Location: Crittenden Drive, City of Homer
Proposed Use: Residential
Water/Sewer: City
Zoning: Gateway Business District
Assessing Use: Improved, Vacant
Parent Parcel Number(s): 175-181-07, 175-181-08

Supporting Information:

The proposed subdivision is a simple replat of two lots created by a 1952 subdivision into one lot containing approximately one acre. City water and sewer serve the subdivision. The plat fronts constructed Hidden Way and Crittenden Drive.

Homer Advisory Planning Commission approved the replat on April 15, 2015 subject to:

1. Include the name and address of the property owner on the plat.
Borough Staff Comments: The ownership information is on the plat submitted for KPB review.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Physical addresses may be affected by the replat. Homer Planning and Zoning Department can answer questions about the effect of the replat on addresses.

Staff recommends that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception Requested:

- A. KPB 20.30.190 (3:1 depth to width ratio)

Surveyor's Discussion: The witness corners are set in areas I consider to be stable. They are back a few feet from where the drop-off to the beach occurs.

Surveyor's Findings:

1. Parent plat was completed before there was a 3:1 depth to width requirement.
2. This plat improves the depth to width ratio by vacating the line between Lots 7 and 8.
3. The Witness Corners are back a few feet from where the drop-off to the beach occurs.

Platting Staff Findings

4. The subdivision is within the City of Homer.
5. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
6. The parent plat was recorded on September 2, 1952, prior to formation of KPB.
7. The area above the Witness Corners appears to comply with the 3:1 depth to width ratio.
8. City water and sewer serve the subdivision.
9. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
10. The configuration of the parent lots constrains the shape of the replat.

11. A submittal showing the slopes greater than 20 percent has been provided.

Staff reviewed the exception request and recommends granting approval. Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-11 support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-11 support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-5, and 7-11 support this standard.

Exception Requested:

- B. KPB 20.30.120 (Street – width requirements)

Staff Discussion: Hidden Way is essentially a cul-de-sac. The Planning Commission approved vacating a portion of Hidden Way (formerly Waddell Loop Road) on November 10, 1997. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road. HM 2005-001933 granted a turnaround easement for emergency vehicles within Lot 10A-1 and Lot 6B. It is no longer possible for Waddell Road to connect with Hidden Way to provide a looped access for the block.

Findings

1. The subdivision is within the City of Homer.
2. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
3. The parent plat was recorded in 1952, prior to formation of KPB.
4. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
5. Homer Advisory Planning Commission did not discuss road width during their review.
6. The Planning Commission vacated a portion of Waddell Loop Road on November 10, 1997 so it is no longer possible to be part of a looped access for the block.
7. The vacation of a portion of Waddell Loop Road in 1997 converted Hidden Way into a dead end street.
8. Hidden Way serves 17 parcels ranging in size from 8,712 to 26,572 square feet.
9. Fixed wing imagery shows structures on some lots adjoining Hidden Way are very close to the right-of-way.
10. Unless all parcels fronting Hidden Way could be further subdivided to provide additional right-of-way, a dedication by the subject plat would create a jog in the right-of-way.
11. Per the Homer City staff report, the Homer Fire Department had no issues with the proposed plat.
12. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road.
13. A turnaround easement for emergency vehicles was granted within Lot 10A-1 Webber Subdivision Bluff Park Replat and Lot 6B Bluff Park Harmon Porter 12997 Addition by HM 2005-001933.

14. Lots 10-14 Webber Subdivision and Lots 10A-1, 15-A and 16-A Webber Subdivision Bluff Park Replat also front a 20-foot alley.

Staff reviewed the exception request and recommends granting approval. Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-14 support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-14 support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1, 2, 4-7, and 11-13 support this standard.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **REQUIRE COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), SUBJECT TO EXCEPTION(S) GRANTED.**

20.25.070 - Form and contents required.

Platting staff comments: The plat complies with the following portions of 20.25.070:

Platting staff comments: The following portions of 20.25.070 are not applicable to the subject plat:

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

*Platting Staff Comments: **Staff recommends** City of Homer be included in the title block.*

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
*Platting Staff Comments: **Staff recommends** a distinctive line style be used for the city limits, such as a dashed or dotted line.*

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;
*Platting Staff Comments: The 2015 mean high water line has been shown and labeled. As the southerly portion of this property is under tidal influence, **staff recommends** a note be placed on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.*

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.060. Easements-Requirements.

- D. Unless a utility company requests additional easements, the front ten feet of the building setback shall be designated as a utility easement, graphically or by note.

*Platting Staff Comments: The affected utility providers were mailed the subdivision plat public hearing notice as part of the routine notification process. The City of Homer, which is a utility provider in this case, stated the front 5 feet per Plat Note 5 is acceptable for a utility easement. Comments from the other utility providers were not available when the staff report was prepared. Unless the other utility providers request a wider utility easement, **staff recommends** the Committee accept the Homer Advisory Planning Commission's recommendation of the front 5 feet along rights-of-way as a utility easement.*

20.30.240. Building setbacks.

- B. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

- C. The setback shall be noted on the plat in the following format:
Building setback- A setback of 20 feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

*Platting Staff Comments: The plat is within the City of Homer. **Staff recommends** the 20-foot building setback depiction be removed from the plat.*

Staff recommends reference to the building setback be removed from Plat Note 5. The note could be revised to state the front 5 feet along rights-of-way is also a utility easement.

20.30.280. Floodplain requirements.

Platting Staff Comments: The City of Homer administers the floodplain program by HCC 21.41 Flood Prone Areas.

*Per the Homer City staff report, the proposed plat is within Zone VE in and near tidal areas. **Staff recommends** the surveyor confirm with the Homer Planning Department a floodplain note is not required prior to final plat and provide this information to KPB staff.*

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per River Center review, the subdivision is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

KPB 20.40 -- Wastewater Disposal

*Platting Staff Comments: **Staff recommends** the code reference in the wastewater disposal note be corrected: KPB 20.40.070.*

STAFF RECOMMENDATIONS: COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the Mylar.*

20.60.160. Easements.

- A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

*Platting Staff Comments: **Staff recommends** a note be provided for the blanket easement of record granted to Homer Electric Association including the recording information.*

20.60.180. Plat notes.

Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

Platting Staff Comments: 11 AAC 53.900 - Definitions: (52) "replat" means the redelineation of one or more existing lots, blocks, tracts, or parcels of a previously recorded subdivision or other survey that involves the change of property lines or, in the case of a vacation, the altering or eliminating of dedicated streets, easements, or public areas.

In part, AS 29.40.070 states by ordinance the assembly shall adopt platting requirements . . .

Per KPB 20.90.010, the subject replat is a subdivision.

Staff recommends Plat Note 4 be removed (This survey does not constitute a subdivision as defined by AS 40.15.990(5)).

Staff recommends Riparian in Plat Note 9 be replaced with Littoral or Intertidal.

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments: KPB 20.60.190 corrected the Notary's Acknowledgement so it is an acknowledgement instead of a combination of an acknowledgement and a jurat. **Staff recommends** the Notary's Acknowledgement on the final plat comply with 20.60.190.*

*If the surveyor prefers the Certificate of Ownership be a sworn statement, **staff recommends** Notary's Acknowledgement be changed to Notary's Jurat.*

20.60.200. Survey and monumentation.

*Platting Staff Comments: Subsection A of 20.60.200 allows for this type of platting action to not be subject to survey and monumentation. As this plat shows it was surveyed and monumented, **staff recommends** compliance with 20.60.200 (C), (D), and (F). Recovered monumentation showing the existing right-of-ways and boundary lines needs to be depicted and the Basis of Bearing needs to comply with the provisions of KPB 20.90.10.*

NOTE: REVIEW OF A DECISION OF THE PLAT COMMITTEE MAY BE HEARD BY THE PLANNING COMMISSION ACTING AS PLATTING BOARD BY FILING WRITTEN NOTICE THEREOF WITH THE BOROUGH PLANNING DIRECTOR ON A FORM PROVIDED BY THE BOROUGH PLANNING DEPARTMENT. THE REQUEST FOR REVIEW SHALL BE FILED WITHIN 10 DAYS AFTER NOTIFICATION OF THE DECISION OF THE PLAT COMMITTEE BY PERSONAL SERVICE OR SERVICE BY MAIL.

A REQUEST FOR REVIEW MAY BE FILED BY ANY PERSON OR AGENCY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING EITHER BY WRITTEN OR ORAL PRESENTATION. THE REQUEST MUST HAVE AN ORIGINAL SIGNATURE; FILING ELECTRONICALLY OR BY FACSIMILE IS PROHIBITED. THE REQUEST FOR REVIEW MUST BRIEFLY STATE THE REASON FOR THE REVIEW REQUEST AND APPLICABLE PROVISIONS OF BOROUGH CODE OR OTHER LAW UPON WHICH THE REQUEST FOR REVIEW IS BASED.

NOTICE OF THE REVIEW HEARING WILL BE ISSUED BY STAFF TO THE ORIGINAL RECIPIENTS OF THE PLAT COMMITTEE PUBLIC HEARING NOTICE. CASES REVIEWED SHALL BE HEARD DE NOVO BY THE PLANNING COMMISSION ACTING AS THE PLATTING BOARD (KPB 2.40.080).

END OF STAFF REPORT

STAFF REPORT ADDENDUM

Staff Report Addendum read by Patti Hartley

Plat Committee Meeting: 5/26/15

KPB 20.30.190 Lots -- Dimensions.

KPB 20.30.200 Lots -- Minimum size.

All lots within the proposed subdivision meet the minimum lot size requirement when using the 1917 MHW line meanders. **Staff recommends** that the lot acreages be computed using the 2015 MHW line meanders as this gives a more realistic view of usable area available.

Based on Item 6 of the Certificate to Plat dated 4/27/15, **staff recommends** that only the area the Title Company will acknowledge should be used for the final area computations.

END OF STAFF REPORT ADDENDUM

Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Martin closed the public hearing and opened discussion among the Committee.

MAIN MOTION: Commissioner Whitney moved, seconded by Commissioner Ecklund to approve the preliminary plat for the Webber Subdivision No. 9 based on staff recommendations and compliance with Borough Code.

AMENDMENT A MOTION: Commissioner Whitney moved, seconded by Commissioner Ecklund to grant exception to KPB 20.30.190; 3:1 depth to width ratio; citing the 11 findings and tying them to the three standards in the following manner.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. Parent plat was completed before there was a 3:1 depth to width requirement.
2. This plat improves the depth to width ratio by vacating the line between Lots 7 and 8.
3. The Witness Corners are back a few feet from where the drop-off to the beach occurs.
4. The subdivision is within the City of Homer.

5. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
6. The parent plat was recorded on September 2, 1952, prior to formation of KPB.
7. The area above the Witness Corners appears to comply with the 3:1 depth to width ratio.
8. City water and sewer serve the subdivision.
9. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
10. The configuration of the parent lots constrains the shape of the replat.
11. A submittal showing the slopes greater than 20 percent has been provided.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. Parent plat was completed before there was a 3:1 depth to width requirement.
2. This plat improves the depth to width ratio by vacating the line between Lots 7 and 8.
3. The Witness Corners are back a few feet from where the drop-off to the beach occurs.
4. The subdivision is within the City of Homer.
5. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
6. The parent plat was recorded on September 2, 1952, prior to formation of KPB.
7. The area above the Witness Corners appears to comply with the 3:1 depth to width ratio.
8. City water and sewer serve the subdivision.
9. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
10. The configuration of the parent lots constrains the shape of the replat.
11. A submittal showing the slopes greater than 20 percent has been provided.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. Parent plat was completed before there was a 3:1 depth to width requirement.
2. This plat improves the depth to width ratio by vacating the line between Lots 7 and 8.
3. The Witness Corners are back a few feet from where the drop-off to the beach occurs.
4. The subdivision is within the City of Homer.
5. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
7. The area above the Witness Corners appears to comply with the 3:1 depth to width ratio.
8. City water and sewer serve the subdivision.
9. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
10. The configuration of the parent lots constrains the shape of the replat.
11. A submittal showing the slopes greater than 20 percent has been provided.

AMENDMENT A MOTION VOTE: The motion passed by unanimous consent.

COLLINS YES	ECKLUND YES	GLENDENING YES	MARTIN YES	VENUTI YES	WHITNEY YES	6 YES
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AMENDMENT B MOTION: Commissioner Whitney moved, seconded by Commissioner Ecklund to grant exception to KPB 20.30.120; Street – Width Requirements; citing the 14 findings and tying them to the three standards in the following manner.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. The subdivision is within the City of Homer.
2. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
3. The parent plat was recorded in 1952, prior to formation of KPB.
4. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
5. Homer Advisory Planning Commission did not discuss road width during their review.
6. The Planning Commission vacated a portion of Waddell Loop Road on November 10, 1997 so it is no longer possible to be part of a looped access for the block.
7. The vacation of a portion of Waddell Loop Road in 1997 converted Hidden Way into a dead end street.
8. Hidden Way serves 17 parcels ranging in size from 8,712 to 26,572 square feet.
9. Fixed wing imagery shows structures on some lots adjoining Hidden Way are very close to the right-of-way.
10. Unless all parcels fronting Hidden Way could be further subdivided to provide additional right-of-way, a dedication by the subject plat would create a jog in the right-of-way.
11. Per the Homer City staff report, the Homer Fire Department had no issues with the proposed plat.
12. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road.
13. A turnaround easement for emergency vehicles was granted within Lot 10A-1 Webber Subdivision Bluff Park Replat and Lot 6B Bluff Park Harmon Porter 12997 Addition by HM 2005-001933.
14. Lots 10-14 Webber Subdivision and Lots 10A-1, 15-A and 16-A Webber Subdivision Bluff Park Replat also front a 20-foot alley.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. The subdivision is within the City of Homer.
2. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
3. The parent plat was recorded in 1952, prior to formation of KPB.
4. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.
5. Homer Advisory Planning Commission did not discuss road width during their review.
6. The Planning Commission vacated a portion of Waddell Loop Road on November 10, 1997 so it is no longer possible to be part of a looped access for the block.
7. The vacation of a portion of Waddell Loop Road in 1997 converted Hidden Way into a dead end street.
8. Hidden Way serves 17 parcels ranging in size from 8,712 to 26,572 square feet.
9. Fixed wing imagery shows structures on some lots adjoining Hidden Way are very close to the right-of-way.
10. Unless all parcels fronting Hidden Way could be further subdivided to provide additional right-of-way, a dedication by the subject plat would create a jog in the right-of-way.
11. Per the Homer City staff report, the Homer Fire Department had no issues with the proposed plat.
12. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road.
13. A turnaround easement for emergency vehicles was granted within Lot 10A-1 Webber Subdivision Bluff Park Replat and Lot 6B Bluff Park Harmon Porter 12997 Addition by HM 2005-001933.
14. Lots 10-14 Webber Subdivision and Lots 10A-1, 15-A and 16-A Webber Subdivision Bluff Park Replat also front a 20-foot alley.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. The subdivision is within the City of Homer.
2. The subdivision is within the Gateway Business District and must comply with the development requirements of the zoning district.
4. Homer Advisory Planning Commission approved the proposed replat on April 15, 2015.

5. Homer Advisory Planning Commission did not discuss road width during their review.
6. The Planning Commission vacated a portion of Waddell Loop Road on November 10, 1997 so it is no longer possible to be part of a looped access for the block.
7. The vacation of a portion of Waddell Loop Road in 1997 converted Hidden Way into a dead end street.
11. Per the Homer City staff report, the Homer Fire Department had no issues with the proposed plat.
12. HM 1997-05 dedicated a half cul-de-sac turnaround adjoining Lots 4 and 5 on Waddell Loop Road.
13. A turnaround easement for emergency vehicles was granted within Lot 10A-1 Webber Subdivision Bluff Park Replat and Lot 6B Bluff Park Harmon Porter 12997 Addition by HM 2005-001933.
14. Lots 10-14 Webber Subdivision and Lots 10A-1, 15-A and 16-A Webber Subdivision Bluff Park Replat also front a 20-foot alley.

AMENDMENT B MOTION VOTE: The motion passed by unanimous consent.

COLLINS YES	ECKLUND YES	GLENDENING YES	MARTIN YES	VENUTI YES	WHITNEY YES	6 YES
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MAIN MOTION VOTE: The motion passed by unanimous consent.

COLLINS YES	ECKLUND YES	GLENDENING YES	MARTIN YES	VENUTI YES	WHITNEY YES	6 YES
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AGENDA ITEM F. FINAL PLAT PUBLIC HEARING

AGENDA ITEM G. OTHER/NEW BUSINESS

AGENDA ITEM H. MISCELLANEOUS INFORMATION -- NO ACTION REQUIRED

AGENDA ITEM I. ADJOURNMENT

Chairman Martin adjourned the meeting at 7:02 p.m.

Patti Hartley



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Staff Report PL 15-64

TO: Homer Advisory Planning Commission
FROM : Rick Abboud, City Planner
DATE: August 19, 2015
SUBJECT: Draft ordinance for the Bridge Creek Watershed Protection District

Introduction

On July 27th, the Council held a public hearing and second reading of Ordinance 15-23 (Amending HCC 21.40.070, Standards for Impervious Coverage in the Bridge Creek Watershed Protection District). Council made amendments to the Ordinance to remove the language about using the figures of 70% and 90% for driveway and structure impervious calculations. They then added back in that driveways could be mitigated and partially or fully excluded from the impervious calculation. The City Council remanded back to the Commission to represent the ordinance with more definition around the impervious standards. Please see the minutes.

Staff has provided information below on impervious surface calculations, and also see attachments. The Commission has two possible ways to respond to Council: stick with the impervious calculations that have been discussed thus far and why, or, agree with Council on the amendments. Please discuss so the minutes can reflect the Commission's comments back to the Council.

Discussion

Option A, HAPC recommendations: By having code that defines the imperviousness as 70% for driveways and 90% for buildings, it takes the guesswork out for staff and the applicant. If an applicant has other information, or a better way to build a permeable driveway, they can provide that. Staff can consider it before making a decision. But both driveways and structures have a reduction from the usual 100% impervious calculation.

Option B, Council's Amendment: Buildings would continue to be calculated as 100% impervious. Driveways could be calculated based on best available information as provided by the applicant, their engineer, or staff could use the figures provided in the Homer Stormwater and Meltwater Management Handbook. Code would not provide any guidance.

Impervious Runoff Coefficients

The most common method to determine the volume of stormwater runoff after a storm event is the called the Rational Method. The Rational Method uses “runoff coefficients” which is a percentage of runoff created by the impervious surface. Engineers use well documented and scientifically based “runoff coefficients” when estimate the amount of stormwater runoff that is created on a certain storm event.

Attached are two documents with more information. The Homer Storm Water Meltwater Management Handbook discusses this method and provides localized coefficients. The Knox County information offers a technical description is frequently used as reference for describing the rational method.

Staff recommendation Our collective goal is clear, easy to understand code language. Planning Commission:

1. Discuss Options A and B. Which is easier to understand, administer, and defend on appeal?
2. Planning Commission respond to the Council’s request for Commission to re-present the ordinance with more definition around the impervious standards.

Attachments:

1. Ordinance 15-23
2. Minutes from July 27, 2015 Council meeting
3. Pages 32-36 of the Homer Stormwater and
4. Knox County Tennessee Storm Water Management Manual
5. Memorandum 15-100

CITY OF HOMER
HOMER, ALASKA

Planning

ORDINANCE 15-23

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING
HOMER CITY CODE 21.40.070, REQUIREMENTS, REGARDING
STANDARDS FOR IMPERVIOUS COVERAGE IN THE BRIDGE CREEK
WATERSHED PROTECTION DISTRICT.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.40.070, Requirements, is amended to read as follows:

21.40.070 Requirements. The requirements of this section shall apply to all structures and uses in the BCWP district unless more stringent requirements are required pursuant to Chapter 21.71 HCC. The City of Homer water utility is exempt from this section.

a. Impervious Coverage.

1. Lots two and one-half acres and larger shall have a maximum total impervious coverage of 4.2 percent.

2. Lots smaller than two and one-half acres shall have a maximum total impervious coverage of 4.2 percent, except as provided in subsection (a)(3) of this section.

3. Lots smaller than two and one-half-acres may be allowed impervious coverage up to 6.4 percent if (a) the owner submits a lot-specific mitigation plan for ~~the City Planner's~~ Planning Commission's approval, and (b) if approved, thereafter implements and continuously complies with the approved plan. The mitigation plan must be designed to mitigate the effect of impervious coverage on water flow and the effect of loss of vegetation created by the impervious coverage and shall comply with the following performance standards:

a. Disturbed areas shall be reseeded by August 31st

b. Storm water retention for the proposed new impervious surface must be provided on site.

1. The post-development stormwater discharge rate shall not exceed the pre-development peak discharge rate (PDR) for the 10-year frequency storm event, consisting of rainfall for a period of three consecutive hours at a rate of one-half inch per hour.

2. Retention may be provided in the form of one or a combination of dry wells, rain barrels, rain gardens, foot drain retention or other method approved by the City Planner.

c. For the purpose of calculating impervious coverage for mitigation plans on lots smaller than two and one-half acres, driveways and

[Bold and underlined added. Deleted language stricken through.]

~~walkways may be calculated as 70% impervious and structures as 90% impervious.~~

b. Impervious Coverage Calculations:

1. For the purpose of calculating impervious coverage on lots smaller than two and one-half acres, driveways and walkways may be partially or fully excluded from the calculation, if constructed and maintained in accordance with a mitigation plan, submitted and approved in accordance with subsection (a)(3) of this section.

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____ 2015.

CITY OF HOMER

MARY E. WYTHER, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Thomas F. Klinkner, City Attorney

[**Bold and underlined added.** Deleted language stricken through.]

Requirement From the Homer Accelerated Water And Sewer Fund (HAWSP) in the Amount of \$576,773.10 for the Purpose of Completing the Water Distribution/Storage Improvement Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Introduction June 29, 2015, Public Hearing and Second Reading July 27, 2015.

Councilmember Burgess previously declared a conflict of interest and was recused from participation.

Mayor Wythe opened the public hearing.

Scott Adams, city resident, commented most developments for water and sewer are LIDs. If the Shellfish, South Slope, and Kachemak Drive projects are not, they should not be included in this program.

Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 15-20 by reading of title only for second and final reading.

ZAK/LEWIS - SO MOVED.

The intention of Public Works was to complete the water system to remove dead ends and make it more connected. The improvement will benefit the whole water system, not just those that will be upgraded.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Burgess returned to his seat.

- C. **Ordinance 15-23**, An Ordinance of the Homer City Council Amending Homer City Code 21.40.070, Requirements, Regarding Standards for Impervious Coverage in the Bridge Creek Watershed Protection District. Planning. Introduction June 29, 2015, Public Hearing and Second Reading July 27, 2015.

Memorandum 15-100 from City Planner as backup.

Mayor Wythe opened the public hearing.

Bill Smith, Homer resident, served on the Planning Commission when Bridge Creek Watershed Protection District (BCWPD) was developed. The commission put a lot of thought in how to apply scientific standards about impervious coverage and the impact on water quality. He submitted a letter to the Council stating he is in favor of a number of parts, but it is troubling to count structures as 90% impervious; that is an amount used by engineers to calculate the run-off in culverts and ditches. The ordinance misses the point in the BCWPD; we are estimating impact of water quality, not storm water run-off.

Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 15-23 by reading of title only for second and final reading.

ROBERTS/REYNOLDS - SO MOVED.

BURGESS/LEWIS - MOVED TO AMEND TO REMOVE LINES 41, 42, 43, AND 44.

There will be no replacement; the ordinance will stick with the current standards.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/LEWIS - MOVED TO AMEND TO REINSTATE LINES 46 TO 49.

Lines 46 to 49 will become item C.

City Planner Abboud advised the Council the purpose is for lots eligible for 6.2% coverage. Currently you have to go to the Planning Commission to have your whole driveway excluded or not. There are no standards to determine who deserves 100% other than going to the Planning Commission for their vote. The ordinance gives him a defined measure he can do in his office. If someone wants to have driveway over their whole lot who is he to say no, he would tell the person you just have to have a good mitigation plan. It doesn't matter what the impervious is.

Councilmember Burgess didn't want to reinstate the stricken items as they were specific to walkways and structures. There is no reason to allow structure to be considered partially impervious. A driveway can be considered up to 50% impervious at the discretion of the Planning Commission.

Mayor Wythe asked Councilmember Burgess if he was an owner of property in the BCWPD. Councilmember Burgess answered he owns property through a company and it has been previously ruled he had no conflict.

City Planner Abboud told the Council it will be easier to define the percentages of impervious coverage for structures and driveways. Seventy percent (70%) is the usual impervious coverage for a driveway.

The letter from Bill Smith was read regarding impervious coverage on walkways and driveways.

City Planner Abboud told the Council if someone asked for 100% for a driveway he is unsure what standard to ask the applicant to prove to the Planning Commission if it is not in code.

VOTE: (amendment) YES. ROBERTS, ZAK, BURGESS, VAN DYKE

VOTE: NO. REYNOLDS, LEWIS

Motion carried.

LEWIS/ZAK - MOVED TO AMEND TO ADD LINES 41 - 44 WITH 100% IMPERVIOUS IN STRUCTURES.

Councilmember Burgess commented the Council voted to reduce runoff issues, but in the watershed which is the most critical erosion and we are trying to meet a standard of water quality, not just storm water attention. We agree structures are 100% impervious, but an arbitrary percentage figure is being selected for driveways and walkways. Currently the burden of proof is on the developer and mitigation plan, which is subjective. It should be reviewed by the Planning Commission.

City Planner Abboud advised 70% impervious is used in the standard gravel pathway which is in the engineering standard book.

Councilmember Roberts pointed out reinstating lines 41 - 44 will make it more difficult since we are putting a 70% impervious limit on driveways and pathways. In the old language that standard was not applied for calculating impervious coverage on lots smaller than 2.5 acres driveways and pathways may be partially or fully excluded. Adding the 70% impervious coverage will limit development on the lots.

Councilmember Lewis recommended his motion be voted down and we postpone the ordinance for further discussion. We should not be making amendments without the experts here to discuss this.

VOTE: (amendment) YES.

VOTE: NO. REYNOLDS, ROBERTS, VAN DYKE, ZAK, BURGESS, LEWIS

Motion failed.

LEWIS/ROBERTS - MOVED TO POSTPONE TO A WORKSESSION SO WE ARE NOT AMENDING IT ON THE FLY.

Planner Abboud can review the ordinance with the Planning Commission to see if they wish to make a change based on the Council's discussions.

Councilmember Burgess expressed opposition to the postponement. If we pass the ordinance as written it can be amended later. We don't waste the Planning Commission's work.

City Clerk Johnson advised a date certain of September 14 instead of leaving the postponement open ended.

VOTE: (postponement) YES. LEWIS, ZAK

VOTE: NO. VAN DYKE, REYNOLDS, ROBERTS, BURGESS

Motion failed.

REYNOLDS/ZAK - MOVED TO REFER TO THE PLANNING COMMISSION TO RE-PRESENT THE ORDINANCE WITH MORE DEFINITION AROUND THE IMPERVIOUS STANDARDS AND ASK THEM TO BRING IT BACK TO US AT THE SEPTEMBER 14TH MEETING.

VOTE: (refer) YES. ZAK, VAN DYKE, REYNOLDS

VOTE: NO. BURGESS, LEWIS, ROBERTS

Mayor Wythe broke the tie vote with a YES vote.

Motion carried.

- D. **Ordinance 15-24**, An Ordinance of the Homer City Council Enacting HCC 2.52.080, Correctional Officer Qualifications, Regarding the Qualification and Certification of City Correctional Officers. City Manager. Introduction June 29, 2015, Public Hearing and Second Reading July 27, 2015.

Memorandum 15-090 from Police Chief as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 15-24 by reading of title only for second and final reading.

BURGESS/LEWIS - SO MOVED.

There was no discussion.

help manage your stormwater. Avoid channeling all runoff directly into an existing feature. Draining directly into a feature can cause pollution, erosion, and flooding. As much as possible slow and filter the water with elements such as filter strips, swales, ponds and basins. This will keep the natural water features functioning and healthy.

How should existing plants and soil affect my design and construction?

An important consideration for passive stormwater management and the success of future landscaping is the protection of existing soils and vegetation during construction. Trees and vegetation are the main players in slowing, filtering, and using potential runoff. The organic or topsoil layer, the product of decades of plant growth, death and decomposition, is extremely valuable, particularly in Homer where decomposition is relatively slow and soils are fairly impervious. In addition the existing soils and short growing season limit growth of trees and many plants, so maximize the use of existing trees and plants rather than incurring expense and waiting years for replacement trees and plants to grow in.

While excessive runoff and erosion is often what is considered when defining no negative impact on neighboring properties, drying, limiting or damming surface water can also have negative impacts. Soil compaction by vehicles and construction equipment either on-purpose or inadvertently can greatly reduce the permeability of the soil, its ability to support plants, and therefore lead to an increase in erosion and runoff. Also changing the hydrology on your property may have negative effects on trees and vegetation on your neighbor's property. Note conditions on neighboring properties that may affect the viability of plant or soil structure on your site.

How to calculate existing hydrology

You should now have most of the information needed to calculate the peak runoff rate of your site. Be sure you have mapped the approximate areas of discreet vegetation, slope and soil characteristics on your site. Use the categories from Table 1 to determine what characteristics you will need to delineate.

With this information we will use the *rational method* to determine the *peak runoff rate* of your property. While this formula may look cumbersome initially it is quite easy to use. We will review the formula, and then give an example to help explain the different variables.

The Rational Formula

$$q=CiA$$

- q** = the peak runoff rate in cubic feet per second (ft³/s)
- C** = unitless Runoff Coefficient (see Table 1)
- i** = rainfall intensity in inches per hour (see Table 2)
- A** = area of drainage in acres

The Runoff Coefficient (**C**) is a pre-determined runoff rate derived by surface and subsurface conditions and can be found in Table 1 below. A value of 0 represents a completely pervious surface that will generate no runoff, while a value of 1 represents a completely impervious or saturated surface.

Each storm has a different duration and rainfall intensity (**I**). Because we are concerned with avoiding damage from large events, peak runoff rate is normally calculated using a design storm value. This is a value for which the management system will be designed. Data for Homer is listed in Table 2 below and includes 2-year, 10-year, and 100-year design storm intensities. These numbers are based on historical data and are assumed to statistically occur once in the given time period.¹ Which of these numbers you use depends on how well you want your site to perform, and/or the regulatory standards.

Normally the Rational Method is used to calculate the maximum rate of runoff for a short duration design storm and may consider a number of other surface and site layout qualities. For a Homer Stormwater Plan (SWP), the applicant is required to base discharge rates on the 10-year design storm, and channel flow protection on a 2-year, 3-hour design storm.² For the examples here we will use the 10-year, 24-hour storm, and simplify the analysis by assuming that all surfaces are mixed throughout the site.

Surface area (**A**) for each type of surface is measured in acres. If you have measured areas in square feet you can simply convert the area to acres by dividing by 43,560.

$$1 \text{ acre} = 43,560 \text{ sq. ft.} \quad \text{so} \quad \text{acres} = \text{Square Feet} / 43,560$$

Table 1 - Runoff Coefficient – C (unitless)

Land Use Description	NRCS Soil Type ³			
	A	B	C	D
Wooded/forest land				
flat 0-2% slope	0.08	0.10	0.12	0.15
2-6% slope	0.11	0.14	0.16	0.20
steep 6%+ slope	0.14	0.18	0.20	0.25
Meadow, Pasture or Lawn				
flat 0-2% slope	0.14	0.2	0.26	0.30
2-6% slope	0.22	0.28	0.35	0.40
steep 6%+ slope	0.30	0.37	0.44	0.50
Dirt road/driveway	0.70	0.70	0.70	0.70
Gravel Road/driveway	0.70	0.70	0.70	0.70
Asphalt or Concrete Paving	0.90	0.90	0.90	0.90
Roof (non vegetated)	0.90	0.90	0.90	0.90

after McCuen 2004

¹ The 2002 floods were caused by a 100-year storm event, its effects exacerbated by already saturated or frozen soils with a higher C than normal.

² HCC 21.48.060(g)(10) and 21.49.060(g)(10)

³ NRCS Soil Type can be found in Appendix B or at <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

Table 2 – Design Storm Intensity – i (in/hr)

	2-year	10-year	100-year
1 hour	0.50	0.70	1.00
3 hour	0.35	0.50	0.83
6 hour	0.33	0.47	0.75
24 hour	0.13	0.19	0.30

Estimated from Miller 1963 for Homer, AK

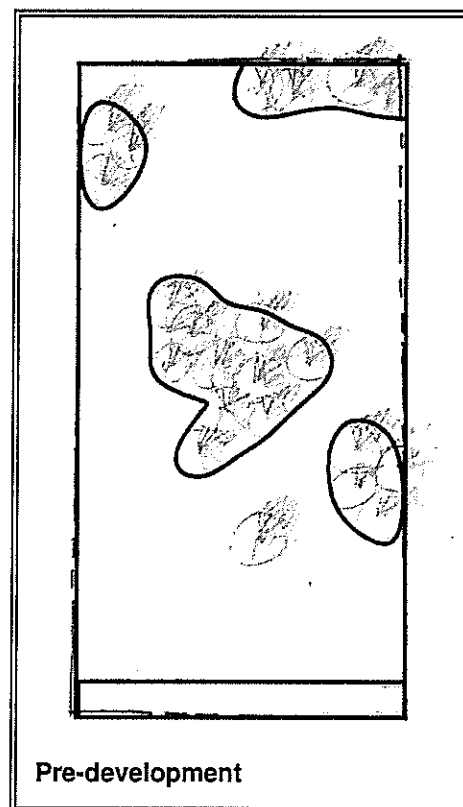
After preparing a proposed development plan, you will be able to approximate the peak runoff rate for the proposed post-development condition and understand the changes you may be making to the site hydrology. This will be a basis of determining the need for, and sizing of, stormwater management elements on your site. These numbers should also be used to quantify your drainage or stormwater management plan that will be prepared by your engineer and submitted to the City.

If you have used good stormwater design techniques, as discussed in chapter 2, your post-development peak runoff rate will be much closer to pre-development conditions than standard development practices. If you would like to, or are required to build an artificial stormwater control structure to further control stormwater flows, good site layout will mean that this structure will be much smaller and much cheaper.

Example

In this example we will estimate the pre- and post-development hydrology of a generic property, using the example of the 1/4-acre commercial lot from chapter 2, page 20 (example 2). This will give you a better understanding of this formula and will demonstrate the potential change in hydrology between the undeveloped condition and a well-designed site as well as a poorly-designed site.

The undeveloped lot has a varied topography averaging 3% and areas of woodland, open meadow and existing sidewalk. For this example we will use the 10-year 24-hour design storm specified in Homer City Code.



Using the rational formula **$q=CiA$**

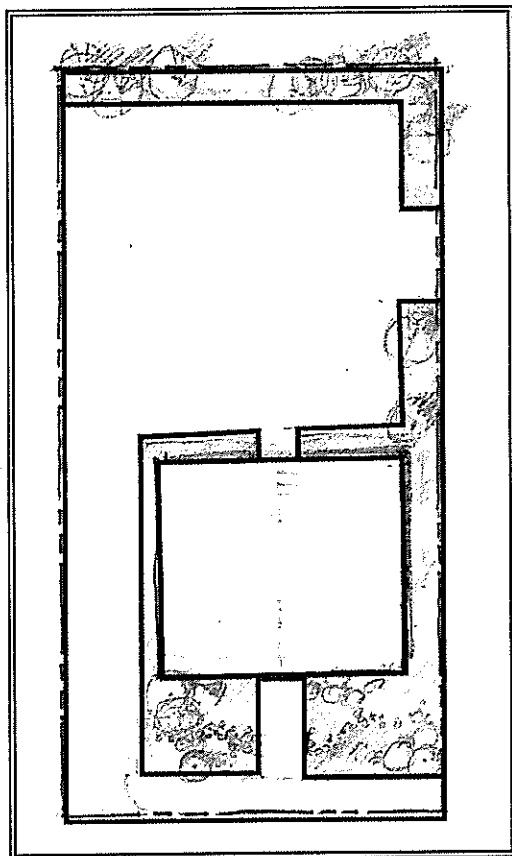
Design storm intensity (**i**) = 0.19

For NRCS Soil type **Group C** value from Appendix B for downtown location

Runoff coefficient **C** values from Table 1 above

Area (**A**) = 0.5 acres = 21,780 sq.ft./43,560

Note we have calculated the acreage of each area by dividing the square footage by 43,560.



Undeveloped **q**

	C	A	q
		<i>ac</i>	<i>cfs</i>
Forest 3%	0.16	0.05	0.001
Meadow 3%	0.35	0.20	0.013
Paved	0.9	0.01	0.002
Total Property q			0.017

Proposed Development **q** .

	C	A	q
Forest 3%	0.16	0.02	0.001
Meadow 3%	0.35	0.06	0.004
roof	0.9	0.05	0.008
Paved	0.9	0.15	0.025
Total Property q			0.038

While these numbers may seem small at first glance, remember that **q** is calculated in cubic feet per second or cfs, a standard engineering unit for hydrology. If we look carefully we can see that the rate of water exiting the developed property as runoff is 2.2 times higher than the runoff in the pre development state.

Remember that these are simple **q** calculations that we can use to estimate the size of mitigation measures like swale depth and width and rain

garden/basin size. This simple calculation uses the 10-year 24-hour storm, and assumes proper design layout to maximize time-of-concentration benefits. Proper layout essentially means that impervious surfaces must be located upstream from vegetated areas and stormwater structures.

With the swales and a stormwater detention area, this site design has a much smaller impact on city infrastructure – especially if all the adjacent properties are developed in a similar manner. If a green roof were incorporated into this design to manage and reduce some of this runoff leaving the site, the size of the required structural stormwater control measures would be reduced by over 25 percent.

This example calculated the **q** for each distinct area (**A**) then added these rates together. It is fairly straightforward and takes only a few steps. It is also simplified, and does not consider the relative locations between one area and the next, but assumes an evenly-distributed mix. The exact location of impervious surfaces on your site will have a significant effect on how quickly runoff will concentrate and exit the site, the above method offers an acceptable estimation of site runoff rate effects if your site is laid out according to the guidelines in this handbook.

This is a quick way to compare pre- and post-development peak runoff of your proposed construction, or to analyze portions of the site if construction is to be limited to specific areas. Remember, **q** is calculated for the area that will run off through a specified point on the site, or for the exit from the site, so you can consider runoff for the whole site or just portions of the site.

Below is a worksheet to help collect and estimate your pre- and post-development **q**.

Table 3 – Peak rate of runoff worksheet

	C <i>From table</i>	i <i>(constant)</i>	A <i>Area in sq. ft.</i>	A <i>Area in acres</i>	q <i>(C x I x A)</i>
Surface 1					
Surface 2					
Surface 3					
Surface 4					
Surface 5					
q total					

After you have minimized the impact through good design, and estimated the change in peak flow rates for your proposed construction, you can now estimate the sizes of any required stormwater mitigation structures, such as swales or basins using the techniques in Chapter 5. However, final design and size should be determined by an engineer.

3.1.3 Rational Method

A popular approach for determining the peak runoff rate is the Rational Formula. The Rational Method considers the entire drainage area as a single unit and estimates the peak discharge at the most downstream point of that area.

The Rational Formula follows the assumptions that:

- the rainfall is uniformly distributed of the entire drainage area and is constant over time;
- the predicted peak discharge has the same probability of occurrence (return period) as the used rainfall intensity (I);
- peak runoff rate can be represented by the rainfall intensity averaged over the same time period as the drainage area's time of concentration (tc); and
- the runoff coefficient (C) is constant during the storm event.

When using the Rational Method some precautions should be considered:

- in determining the C value (runoff coefficient based on land use) for the drainage area, hydrologic analysis should take into account any future changes in land use that might occur during the service life of the proposed facility;
- if the distribution of land uses within the drainage basin will affect the results of hydrologic analysis (e.g., if the impervious areas are segregated from the pervious areas), the basin should be divided into sub-drainage basins. The single equation used for the Rational Method uses one composite C and one t_c value for the entire drainage area; and,
- the charts, graphs, and tables included in this section are given to assist the engineer in applying the Rational Method. The engineer shall use sound engineering judgment in applying these design aids and shall make appropriate adjustments when specific site characteristics dictate that these adjustments are appropriate.

3.1.3.1 Application

The Rational Method can be used to estimate stormwater runoff peak flows for the design of gutter flows, drainage inlets, storm drain pipe, culverts and small ditches. It is most applicable to small, highly impervious areas. Knox County policies regarding the use of the Rational Method are as follows:

- In Knox County, the Rational Method shall not be utilized for drainage areas less than five (5) acres.
- The Rational Method shall not be used for storage design or any other application where a more detailed routing procedure is required.
- The Rational Method shall not be used for calculating peak flows downstream of bridges, culverts or storm sewers that may act as restrictions and impact the peak rate of discharge.

3.1.3.2 Equations

The Rational Method estimates the peak rate of runoff at a specific watershed location as a function of the drainage area, runoff coefficient, and mean rainfall intensity for a duration equal to the time of concentration, t_c . The t_c is the time required for water to flow from the most remote point of the basin to the location being analyzed.

The Rational Method is expressed in Equation 3-1. Further explanation of each variable in the Rational Method equation is presented in Sections 3.1.3.3 and 3.1.3.4.

Equation 3-1
$$Q = CIA$$

where:

- Q = maximum rate of runoff (cfs)
- C = runoff coefficient representing a ratio of runoff to rainfall
- I = average rainfall intensity for a duration equal to the t_c (in/hr)
- A = drainage area contributing to the design location (acres)

3.1.3.3 Runoff Coefficient

The runoff coefficient (C) is the variable of the Rational Method least susceptible to precise determination and requires judgment and understanding on the part of the design engineer. While engineering judgment will always be required in the selection of runoff coefficients, typical coefficients represent the integrated effects of many drainage basin parameters. Table 3-6 gives the recommended runoff coefficients for the Rational Method.

It is often desirable to develop a composite runoff coefficient based on the percentage of different types of surfaces in the drainage areas. Composites can be made with the values from Table 3-6 by using percentages of different land uses. In addition, more detailed composites can be made with coefficients for different surface types such as rooftops, asphalt, and concrete. The composite procedure can be applied to an entire drainage area or to typical "sample" blocks as a guide to the selection of reasonable values of the coefficient for an entire area.

It should be remembered that the Rational Method assumes that all land uses within a drainage area are uniformly distributed throughout the area. If it is important to locate a specific land use within the drainage area, then another hydrologic method should be used where hydrographs can be generated and routed through the drainage system.

Using only the impervious area from a highly impervious site (and the corresponding high C factor and shorter time of concentration) can in some cases yield a higher peak runoff value than by using the whole site. Peak flow calculations can be underestimated due to areas where the overland portion of flow is grassy (yielding a longer t_c).

Note that the coefficients given in Table 3-6 are applicable for storms of 5 to 10-year frequencies. Less frequent, higher intensity storms may require modification of the coefficient because infiltration and other losses have a proportionally smaller effect on runoff (Wright - McLaughlin Engineers, 1969). The adjustment of the Rational Method for use with major storms can be made by multiplying the right side of the Rational Formula by a frequency factor C_f . The Rational Formula for major storm events now becomes:

Equation 3-2
$$Q = C_f CIA$$

C_f values are listed in Table 3-7. The product of C_f times C shall not exceed 1.0.

3.1.3.4 Rainfall Intensity (I)

The rainfall intensity (I) is the average rainfall rate in in/hr for a selected return period that is based on a duration equal to the time of concentration (t_c). Once a particular return period has been selected for design and a time of concentration has been calculated for the drainage area, the rainfall intensity can be determined from rainfall-intensity-duration data given in Table 3-4 or Figure 3-1. Calculation of t_c is discussed in detail in the next section.

Table 3-6. Recommended Runoff Coefficient Values for Rational Method

Land Use	Runoff Coefficient (C) by Hydrologic Soil Group and Ground Slope											
	A			B			C			D		
	<2%	2 - 6%	>6%	<2%	2 - 6%	>6%	<2%	2 - 6%	>6%	<2%	2 - 6%	>6%
Forest	0.08	0.11	0.14	0.10	0.14	0.18	0.12	0.16	0.20	0.15	0.20	0.25
Meadow	0.14	0.22	0.30	0.20	0.28	0.37	0.26	0.35	0.44	0.30	0.40	0.50
Pasture	0.15	0.25	0.37	0.23	0.34	0.45	0.30	0.42	0.52	0.37	0.50	0.62
Farmland	0.14	0.18	0.22	0.16	0.21	0.28	0.20	0.25	0.34	0.24	0.29	0.41
Res. 1 acre	0.22	0.26	0.29	0.24	0.28	0.34	0.28	0.32	0.40	0.31	0.35	0.46
Res. 1/2 acre	0.25	0.29	0.32	0.28	0.32	0.36	0.31	0.35	0.42	0.34	0.38	0.46
Res. 1/3 acre	0.28	0.32	0.35	0.30	0.35	0.39	0.33	0.38	0.45	0.36	0.40	0.50
Res. 1/4 acre	0.30	0.34	0.37	0.33	0.37	0.42	0.36	0.40	0.47	0.38	0.42	0.52
Res. 1/8 acre	0.33	0.37	0.40	0.35	0.39	0.44	0.38	0.42	0.49	0.41	0.45	0.54
Industrial	0.85	0.85	0.86	0.85	0.86	0.86	0.86	0.86	0.87	0.86	0.86	0.88
Commercial	0.88	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.90	0.89	0.89	0.90
Streets: ROW	0.76	0.77	0.79	0.80	0.82	0.84	0.84	0.85	0.89	0.89	0.91	0.95
Parking	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97
Disturbed Area	0.65	0.67	0.69	0.66	0.68	0.70	0.68	0.70	0.72	0.69	0.72	0.75



Table 3-7. Frequency Factors for Rational Formula

Recurrence Interval (years)	C _r
10 or less	1.0
25	1.1
50	1.2
100	1.25

3.1.3.5 Time of Concentration

Use of the Rational Method requires calculating the time of concentration (t_c) for each design point within the drainage basin. The duration of rainfall is then set equal to the time of concentration and is used to estimate the design average rainfall intensity (I). The basin time of concentration is defined as the time required for water to flow from the most remote part of the drainage area to the point of interest for discharge calculations. The time of concentration is computed as a summation of travel times within each flow path as follows:

Equation 3-3
$$t_c = t_{t1} + t_{t2} + t_{tm}$$

where:

- t_c = time of concentration (hours)
- t_i = travel time of segment (hours)
- m = number of flow segments

Knox County policies regarding the calculation of t_c are as follows:

- The t_c shall be the longest sub-basin travel time when all flow paths are considered.
- The minimum t_c for all computations shall be five (5) minutes.

Time of concentration calculations are subject to the following limitations:

1. the equations presented in this section should not be used for sheet flow on impervious land uses where the flow length is longer than 50 feet; and
2. in watersheds with storm sewers, use care to identify the appropriate hydraulic flow path to estimate t_c .

Two common errors should be avoided when calculating time of concentration. First, in some cases runoff from a highly impervious portion of a drainage area may result in a greater peak discharge than the calculated peak discharge for the entire area. Second, the designer should consider that the overland flow path does not necessarily remain the same when comparing pre-development and post-development areas. Grading operations and development can alter the overland flow path and length. Selecting overland flow paths for impervious areas that are greater than 50 feet should be done only after careful consideration. For typical urban areas, the time of concentration consists of multiple flow paths including overland flow, shallow concentrated flow and the travel time in the storm drain, paved gutter, roadside ditch, or drainage channel.

Overland Flow:

Overland flow in urbanized basins occurs from the backs of lots to the street, across and within parking lots and grass belts, and within park areas, and is characterized as shallow, steady and uniform flow with minor infiltration effects. The travel time (T_t) for overland flow over plane surfaces for distances of less than 300 lineal feet (100 feet for paved surfaces) can be calculated using Manning's kinematic solution (Overton and Meadows, 1976), shown in Equation 3-4. Following the equation, Table 3-8 presents Manning's "n" roughness coefficients for use in Equation 3-4.

Equation 3-4

$$T_t = \frac{0.007(nL)^{0.8}}{(P_2)^{0.5} S^{0.4}}$$

where:

- T_t = travel time (hours)
 n = Manning's roughness coefficient (see Table 3-8)
 L = flow length (ft)
 P_2 = 2-year 24-hour rainfall (inches)
 S = ground slope, (ft/ft)

Table 3-8. Roughness coefficients (Manning's "n")¹

(Soil Conservation Service, 1986)

Surface Description	n
Smooth surfaces (concrete, asphalt, gravel or bare soil)	0.011
Fallow (no residue)	0.05
Cultivated soils:	
Residue cover ≤ 20%	0.06
Residue cover > 20%	0.17
Grass:	
Short grass prairie	0.15
Dense grasses ²	0.24
Bermuda grass	0.41
Range (natural)	0.13
Woods³:	
Light underbrush	0.40
Dense underbrush	0.80

¹ The n values are a composite of information by Engman (1986).² Includes species such as weeping lovegrass, bluegrass, buffalo grass, blue grama grass, and native grass mixtures.³ When selecting n, consider cover to a height of about 0.1 ft. This is the only part of the plant cover that will obstruct sheet flow.

Additionally, the SCS lag equation is an acceptable method for calculating the time of concentration for overland flow (T_c) based on watershed lag time (T_L). T_L is defined as the time between the center of mass of excess rainfall to the time of peak runoff (similar to an average flow time for a small homogeneous area). The following equations can be used to determine T_c :

Equation 3-5

$$T_c = 1.67T_L$$

where:

- T_c = time of concentration of overland flow portion of flow path (hours)
 T_L = NRCS lag time (hours)

Equation 3-6

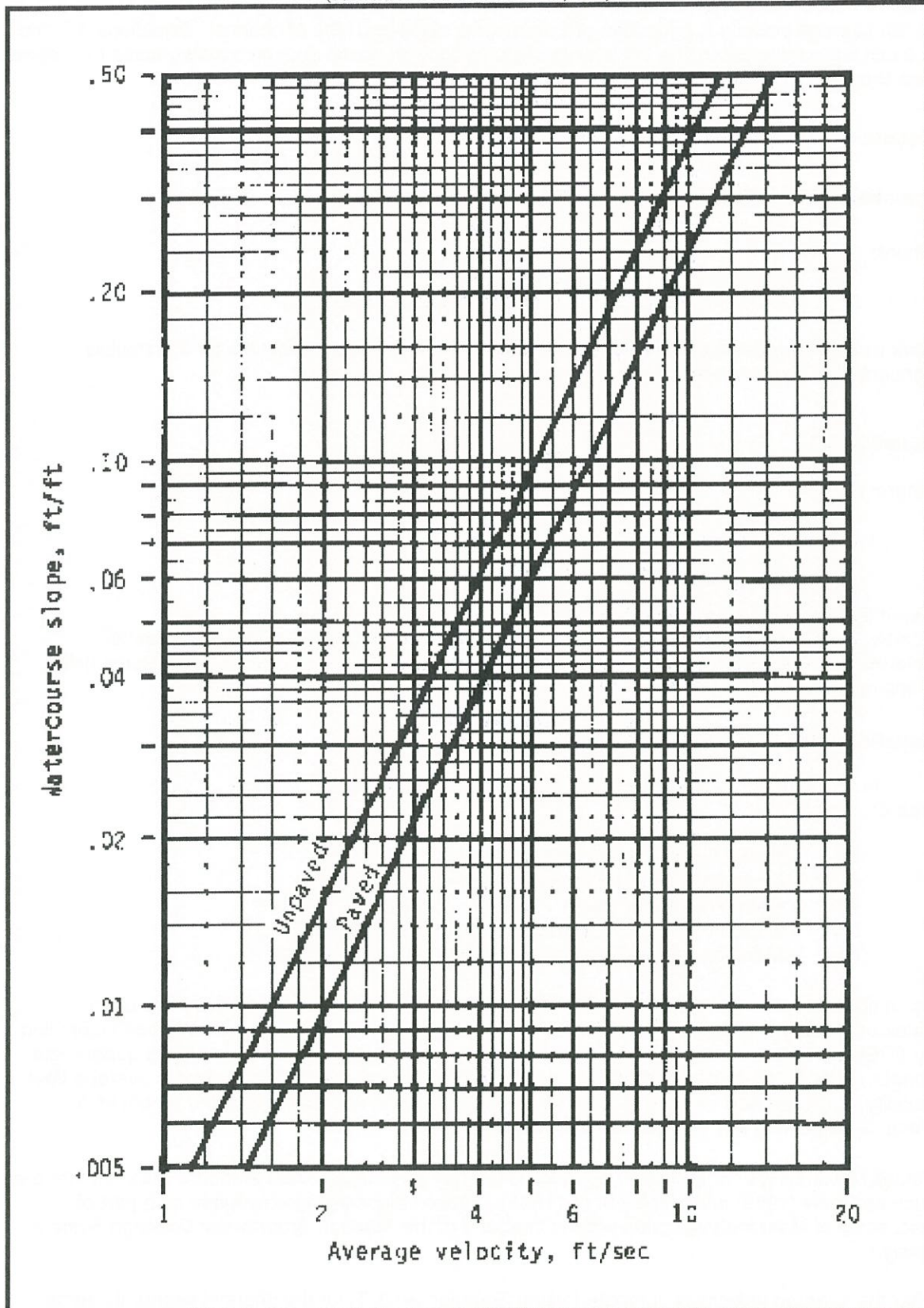
$$T_L = \frac{L^{0.8} (S + 1)^{0.7}}{1900W_s^{0.5}}$$

where:

- T_L = SCS lag time (hours)
 L = flow length for sheet flow over the surface (feet)
 S = potential maximum soil retention (inches) = 1000/CN-10
 W_s = average ground surface slope as a percentage (%)

Figure 3-2. Average Velocities - Shallow Concentrated Flow

(Source: Soil Conservation Service, 1986)



Shallow Concentrated Flow:



After a maximum of 300 feet (100 feet for paved areas), overland flow will normally become shallow concentrated flow. The average velocity of this flow can be determined from Figure 3-2, in which average velocity is a function of watercourse slope and type of channel. Equations 3-7 and 3-8 can be used to determine the average flow velocity on paved and unpaved surfaces for slopes less than the minimum slope in Figure 3-2 (0.005 ft/ft):

Equation 3-7 Unpaved $V = 16.13(S)^{0.5}$

Equation 3-8 Paved $V = 20.33(S)^{0.5}$

where:

- V = average velocity (ft/s), and
S = slope of hydraulic grade line (watercourse slope, ft/ft)

After determining average velocity, use Equation 3-9 to estimate travel time for the shallow concentrated flow segment.

Equation 3-9 $T_t = \frac{L}{60V}$

where:

- T_t = travel time (min)
L = reach length (ft)
V = velocity in reach (ft/sec) = Q/A

Paved Gutter and Open Channel Flow:

The travel time within the storm drain, gutter, swale, ditch, or other drainage way can be determined through an analysis of the hydraulic properties of these conveyance systems using Manning's equation (Equation 3-10).

Equation 3-10 $V = \frac{1.49(R)^{2/3}(S)^{1/2}}{n}$

where:

- V = average velocity (ft/s)
R = hydraulic radius (feet) and equals A/P_w
A = cross sectional flow area (sq.ft.)
P_w = wetted perimeter (feet)
S = slope of energy grade line (channel slope, ft/ft), and
n = Manning's roughness coefficient for open channel flow

Open channels are assumed to begin where surveyed cross section information has been obtained, where channels are visible on aerial photographs, where channels have been identified by TDEC or Knox County, or where blue lines (indicating streams) appear on USGS quadrangle sheets. Equation 3-10 or water surface profile information can be used to estimate average flow velocity. Average flow velocity for travel time calculations is usually determined for bankfull elevation assuming low vegetation winter conditions.

Values of Manning's "n" for use in Equation 3-10 may be obtained from standard design textbooks such as Chow (1959) and Linsley et al. (1949). These values are also included as a part of discussion of Manning's equation within Chapter 7 of this Manual, *Stormwater Drainage System Design*.

After the average velocity is computed using Equation 3-10, T_t for the channel segment can be estimated using Equation 3-9 shown previously.

Example 3-1. Calculation of Peak Discharge Using Rational Method

Estimates of the maximum rate of runoff are needed at the inlet to a proposed culvert for a 25-year return period.

Site Data

From an example topographic map and a field survey, the area of the drainage basin upstream from the point in question is found to be 23 acres. In addition the following data were measured:

- Average overland slope = 2.0% = 0.02 ft/ft
- Length of overland flow = 50 ft
- Length of main basin channel = 2,250 ft
- Hydraulic Radius R taken from channel dimensions = 1.62
- Slope of channel = 0.018 ft/ft = 1.8%
- Roughness coefficient (n) of channel was estimated to be 0.040
- Roughness coefficient (n) of overland flow area was estimated to be 0.090
- From existing land use maps, land use for the drainage basin was estimated to be:
 - Residential (1/2 acre) - 80%
 - Pasture - sandy soil, 3% slope - 20%
- From existing land use maps, the land use for the overland flow area at the head of the basin was estimated to be: lawn – silty clay soil, 2% slope

Step 1: The overland flow time can be calculated using Equation 3-4:

$$T_t = 0.007[(0.090)(50)]^{0.8} / (3.30)^{0.5} (0.02)^{0.4}$$

$$= 0.061 \text{ hrs} = 3.7 \text{ minutes}$$

Step 2: Calculate the channel flow time by first calculating the main channel velocity using Equation 3-10:

$$V = 1.49(1.62)^{2/3} (0.018)^{1/2} / (0.040)$$

$$= 6.9 \text{ ft/s}$$

The flow time is calculated using Equation 3-9:

$$T_t = 2250 / [(6.9)(60)]$$

$$= 5.4 \text{ minutes}$$

Step 3: Calculate t_c .

$$t_c = 3.7 + 5.4 = 9.1 \text{ min (use 9 min)}$$

Step 4: From Table 3-4, use interpolation to calculate the intensity for a duration equal to 8 minutes,

$$I_{25} = 6.42 \text{ in/hr}$$

Step 5: A weighted runoff coefficient (C) for the total drainage area is determined below by utilizing the C values from Table 3-6. Assume the silty clay soil specified is classified in hydrologic soil group C.

1	2	3	4
Land Use	Percent of Total Land Area	Runoff Coefficient	Weighted Runoff Coefficient ¹
Residential (1/2 acre)	80	0.35	0.280
Pasture	20	0.42	0.084
Total Weighted Runoff Coefficient = 0.364			

¹ - Column 4 equals Column 2 multiplied by Column 3.

Step 6: The Rational Method estimate of peak runoff for a 25-yr design storm for the given basin is:

$$\begin{aligned} Q_{25} &= C_r C I A = (1.10)(0.364)(6.42)(23) \\ &= 59.1 \text{ cfs} \end{aligned}$$

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15-100

Memorandum Status:

Backup

Memorandum 15-100

TO: MAYOR WYTHER AND HOMER CITY COUNCIL
THROUGH KATIE KOESTER, CITY MANAGER
FROM: RICK ABBOD, CITY PLANNER

DATE: JUNE 18, 2015

SUBJECT: RECOMMENDATION FROM HOMER ADVISORY PLANNING
COMMISSION REGARDING THE PROPOSED AMENDMENT TO HCC 21.40.070,
REQUIREMENTS, REGARDING STANDARDS FOR IMPERVIOUS COVERAGE IN THE
BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

For approximately one year the Planning Commission has discussed the Bridge Creek Watershed Protection District (BCWPD). The commission considered increasing the amount of impervious coverage from the current allowance. After the testimony received from two public hearings, where every property owner in the watershed was sent direct notification, the Commission decided against an increase. The Planning Commission's draft ordinance does allow development proposals in the district (those eligible to exceed 4.2% impervious coverage) to be completed with less delay and clarifies a more uniform procedure for impervious surface mitigation.

Non-ordinance recommendation for the BCWPD

Platting fees be waived when vacating lines to increase lot sizes.

Increase City efforts to purchase one property a year.

Examine ditch cleaning policies and work with DOT on Skyline Drive maintenance including minimizing road ditch clearing to minimize possible negative effects to the watershed.

Ask Public Works not to use calcium chloride for dust control.

Current Procedure

All lots in the BCWPD are allowed up to 4.2% of impervious coverage, lots smaller than 2.5 acres are allowed to provide mitigation for review at the Planning Commission for up to 6.4% of impervious coverage. The standards for mitigation are not defined in code. Taking the plan to the Commission incurs additional time compared to standard permits that may be issued by the Planning Department. Not having defined standards for the calculation of mitigation leads to staff suggesting the measures which then need to be 'sold' to the Commission. There is little consistency between mitigation plans or outcomes and this creates a lot of uncertainty for developers.

Proposed Amendments

- 1.) The Commission recommends that the City Planner review and approve mitigation plans without having to go before the Commission.
- 2.) Reseeding is prescribed by a date specific so that vegetation has an opportunity to be established before the winter and the opportunity for runoff is decreased.
- 3.) Standards are proposed for design of the mitigation plan. The storm water event that is defined as the same that is required elsewhere in code, rainfall at a rate of 1.5 inches per hour for 3 hours. While common methods of approved retention forms are listed, others may be approved.
- 4.) The calculation of impervious surface for the purpose of mitigation is based on professional engineering standards. Prescribed calculations for typical driveways, walkways, and structures are those an engineer uses to create an appropriate mitigation plan. Other methods still have an option for other calculations in case someone wanted to install a 'green roof' or other non-typical measure.

Eliminated is the subjective nature of partially excluding driveways without having any specific expectations. Currently, the commission may decide to grant someone some sort of exclusion, but they have no standards in code for this provision. This leads to inconsistency among applicants and can alter the carefully thought out provisions for impervious throughout the district.

The proposed amendment was a subject on 12 Planning Commission meetings. The meetings of the October 15th, November 5th and April 15th were public hearings where the entire Bridge Creek Watershed Protection District was sent a notice. While testimony was

varied, a great deal was against creating the opportunity for additional impervious coverage. Allowing the Planner to process permits was universally accepted.

Planning staff review of the zoning code amendment as required by HCC 21.95.040.

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

Discussion: Comprehensive Plan Chapter 4, Goal 2: "Maintain the quality of Homer's natural environment and scenic beauty." A strategy stated to accomplish this goal includes "recommend that appropriate standards be adopted so that where development does occur it is designed to respect environmental functions and characteristics." Examples giving include "site development policies for drainage, vegetation, and grading." This amendment is directly correlated toward accomplishing this goal.

Staff response: This amendment is consistent with the Comprehensive Plan.

b. Will be reasonable to implement and enforce.

Staff response: This code amendment will be reasonable to implement and enforce. Standards for mitigation calculation are more certain than current policy.

c. Will promote the present and future public health, safety and welfare.

Staff response: The public health, safety and welfare is promoted in the creation of targeted standards to help mitigate potential negative impacts on the Bridge Creek Reservoir.

d. Is consistent with the intent and wording of the other provisions of this title.

Staff response: This amendment is consistent with the intent and wording of other provisions of this title. The amendments have been reviewed by the City Attorney and are deemed consistent with the intent and wording of the other provision of this title.

21.95.010 Initiating a code amendment.

Staff response: The Planning Commission initiated the code amendment, per 21.95.010(b).

21.95.030 Restriction on repeating failed amendment proposals.

Staff response: This section of code is found to be not applicable.

Att.

Proposed draft ordinance
Staff Reports with attachments
Excerpts of Planning Commission minutes

Related Ordinances

Memorandum - Related Ordinances:

Ordinance 15-23 Amending HCC 21.40.070, Standards for Impervious Coverage in the Bridge Creek Watershed Protection District

Source URL (retrieved on 2015-08-14 14:36): <http://www.cityofhomer-ak.gov/memorandum/memorandum-15-100-impervious-coverage-bridge-creek-watershed-district>



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City Manager's Report

TO: Mayor Wythe and Homer City Council
FROM: Katie Koester, City Manager
DATE: August 10, 2015
SUBJECT: City Manager's Report

ADOT and Pioneer Avenue; Reduced Plowing This Winter

Alaska Department of Transportation and Public Facilities (ADOT) central region staff met with me, City Planner Abboud and Public Works Director Meyer to discuss Pioneer Avenue Rehabilitation. Pioneer Avenue Rehabilitation is included in the Statewide Transportation Improvement Plan (STIP). In 2014 ADOT informed the City Council that, due to funding reasons, they were not able to construct the rehabilitation of Pioneer to the original standard that had been proposed: widened roadway, five foot bike lanes, new drainage, sidewalks, lighting, landscaping and pedestrian safety improvements. A revised project was proposed that the Council supported but could not accept ownership of (Resolution 14-063(A)). Council asked for the revised scope to include painted pedestrian walkway islands and LED walkway signs. ADOT has come back to City staff requesting the City take over maintenance of Pioneer in exchange for some of these improvements. Staff maintained that the position established in Resolution 14-063(A), that proposed improvements for the revised scope, which primarily consist of painted lines, are not sufficient to warrant taking over maintenance of Pioneer Avenue. Pioneer is an expensive road to maintain, the City receives \$36,000 from the State just for winter maintenance of Pioneer. ADOT still plans on proceeding with a resurfacing project under the revised scope proposed in 2014.

DOT staff also highlighted cuts in their Maintenance and Operations budget that would impact the timeline for plowing major roads. They warned that the less traveled roads such as East End, West Hill, and East Hill could take longer to get to, depending on the severity of the snow event.

Response Agreements for Increased Tanker Traffic Contingency Planning

Fire Chief Painter met with representatives from Resolve Marine Salvage and Firefighting and T & T Salvage. As part of their contingency planning for the increase in tanker traffic and the possibility of the LNG project they have asked that all fire departments with coastal access sign a consent agreement so that they can list HVFD as a potential resource in case of a vessel fire. In turn they are offering training opportunities, mostly, which can be of some benefit, especially if the LNG project moves forward. Once operational, there could be LNG tankers traversing Kachemak Bay every 16 hours or so, not to mention the existing vessel traffic. The

City attorney has reviewed the agreement and has no issues with it. HVFD can only commit what resources are available at the time. This partnership is consistent with City of Homer's prioritization of safety in Kachemak Bay (See copies of response agreements, attached).

Flood Insurance

The Planning Department is working with FEMA and the National Floodplain Management Program to reduce flood insurance rates for home and business owners in Homer. Through a series of efforts from the Planning Department, Fire Department and Public Works that include planning, outreach and mitigation, City of Homer reduces the risk from flood damage. As a result, areas of the City receive a lower insurance score which translates into a discount on flood insurance. With flood insurance becoming more standard for many mortgages, this represents an important 'behind the scenes' way City services directly help residents.

Dump Truck

In the last City Manager's report I brought to your attention three urgent vehicle needs: a dump truck for Public Works, an ambulance for the Fire Department and a patrol car for the Police Department. It is my preference to deal with these needs in the context of the 2016 budget when we have a better idea of revenue. However, the purchase of a replacement dump truck cannot wait until 2016; the Public Works Department needs it in the summer for road maintenance projects. In the winter, it becomes a sander for sanding roads and repairing water mains. Furthermore, a new dump truck is 6-9 months out. Public Works has investigated options which are detailed in the attached memo. I would like to bring to the Council an ordinance at the next meeting authorizing the purchase of the dump truck for \$150,000. This would have to come out of the general fund fund balance (current balance \$5.7M) as there is a negative balance in the Public Works fleet reserve account. However, we do have the option to finance the vehicle. I am concerned that financing just puts the issue off to future operating budgets. Also, we would be paying 2-3% interest while we have money sitting in the bank making minimal interest.

Enc:

Response agreements with Resolve Marine Salvage and Firefighting and T & T Salvage
Resolution 14-063(A)
Memorandum 15-135 from Public Works Superintendent Gardner